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Democratic People's Republic of Korea

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I. Introduction

1. The present report covers the period from December 2009 when the Democratic People's Republic of Korea (DPRK) had its first cycle UPR report reviewed to 2013.

2. During this period the Korean people suffered the greatest national grief over the sudden demise of the great leader **Kim Jong Il**. However, holding the respected Marshal **Kim Jong Un** in high esteem as the supreme leader of the DPRK and under his seasoned leadership, they have opened up a new era of history in their efforts to build a socialist thriving nation that effectively ensures people's happy well-being and genuine human rights.

3. The DPRK regards it as the supreme principle of its activities to put human person at the centre of all considerations and make everything serve him. The DPRK has consistently maintained the people-centred ideas and position on human rights that fully guarantee people's dignity, equality and worthwhile life, and made every possible effort to ensure that all people fully exercise and enjoy their political, economic and cultural rights as the masters of the State and society.

4. The recommendations received during the first cycle review were given careful and serious consideration from the standpoint of honouring international human rights instruments and taking into account country's specific conditions, with due attention being paid to taking necessary measures.

II. Main contents and preparation process of the report

5. The Report describes the efforts and achievements made by the DPRK during the past 4 years for the protection and promotion of human rights, and challenges and future goals.

6. A task force was formed for the preparation of the Report comprising officials from the Presidium of the Supreme People's Assembly, the Supreme Court, Ministry of Foreign Affairs, Education Commission, Ministry of Public Health and other government organs related to the implementation of the recommendations, and experts from academic institutions. The national institutions concerned were informed of General Guidelines for the Preparation of Information and invited to submit necessary information on the basis thereof. (See Annex I)

7. The task force held numerous discussions and consultations not only with government organs but also with individuals working for the human rights-related social organizations, academic and legal institutions and reflected their inputs in the Report before finalizing it. (See Annex II)

III. Legislative and institutional measures for the protection and promotion of human rights

A. Legislative measures

1. Human rights legislation

8. During the period under review, a series of laws were adopted for human rights protection and promotion, which is unprecedented in the country's legislation.

9. The Ordinance on the Enforcement of Universal 12-year Compulsory Education was promulgated at the 6th session of the 12th Supreme People's Assembly on September 25, 2012, to replace the 11-year education system that had been in force. The particulars of change resulting from the enforcement of the new education system were legalized through the amending of the Constitution and other education-related laws and regulations. This new system enabled further improvement of general secondary education through teaching students general basic knowledge and modern basic technical knowledge.

10. The Law on the Protection and Promotion of Child Rights and the Law on the Protection and Promotion of Women's Rights were enacted on December 22, 2012, and together with the Law on the Care of the Elderly and the Law on the Protection of Persons with Disabilities they reinforced legal framework for the protection of vulnerable group.

11. The Law on the Protection and Promotion of Child Rights comprehensively provides for such matters as principle in the protection and promotion of child rights, their rights in social life, medical care, education, family and judicial matters as well as obligations of the government organs concerned.

12. The Law on the Protection and Promotion of Women's Rights comprehensively provides for the matters of principle in the protection and promotion of women's rights, their rights to social and political life, education, health care, work, personal inviolability and property, marriage and family, as well as matters related to guidance to and supervision over the protection of women's rights.

13. The Law on Labour Protection enacted on July 8, 2010 stipulates matters of education on labour safety, provision of protective measures, emergency rescue and relief, labour accident examination and obligations of government organs concerned, thereby securing legal guarantee for providing working people with safe, hygienic working conditions and protecting and promoting their lives and health.

14. The Law on General Secondary Education (January 19, 2011), the Law on Higher Education (December 24, 2011), the Law on Prevention of Earthquake and Volcano Disasters and Rescue Operations (August 29, 2011), the Law on City and Township Beautification (December 19, 2012) and the Law on Maintenance of Parks and Pleasure Grounds (May 19, 2013) were adopted, further enhancing legal guarantee for the protection and promotion of human rights.

15. The Criminal Law was amended on October 1, 2010, under which the ratio of penalty of reform through labour was reduced and that of penalty of disciplining through labour raised, while the term of both penalties shortened by and large.

16. The Law on Public Health, the Copyright Law, the Law on Foodstuff Hygiene, the Law on Dwelling Houses and the Law on Complaints and Petition were amended to further concretize the legal framework for the protection and promotion of human rights.

2. Accession to international treaties

17. The DPRK signed the UN Convention on the Rights of Persons with Disabilities on July 3, 2013. As a follow-up, the Law of the DPRK for the Protection of Persons with Disabilities and other relevant laws were amended to incorporate the requirements of the Convention, and preparatory work is now under way for the ratification.

18. The DPRK ratified the International Convention for the Suppression of the Financing of Terrorism on June 19, 2013. Relevant national laws including the Law of the DPRK on the Prevention of Money Laundering are now in the process of revision with some practical measures being taken pursuant to the obligations under the Convention.

19. Signing of or accession to other international human rights instruments including the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography is under consideration by the institutions concerned.

3. Human rights education

20. The DPRK, while providing human rights education at formal educational institutions and judicial officers' training centers, directed special attention to raising general public awareness of human rights, conducting education in various forms and manner appropriate to the level of different targets.

21. Talks of renowned human rights scholars were broadcasted by television and Understanding of International Human Rights Law and other books on human rights were published and distributed to help citizens have a broad range of knowledge about the nature of human rights, key international human rights instruments and mechanisms.

22. On such occasions as Human Rights Day, International Women's Day, International Children's Day and the International Day of Persons with Disabilities, etc. the mass media gave wide publicity to the contents, principles and requirements of the international human rights instruments to which the DPRK is a party.

B. Institutional measures

23. Institutional measures were taken for the protection and promotion of human rights during the period under review.

24. By the decision of the Presidium of the Supreme People's Assembly in June, 2010 the Ministry of Education was restructured to be Education Commission comprising Ministries of Higher Education and General Secondary Education with a view to further qualitative improvement of education and providing more effective guidance to the educational work as required by the new developments.

25. In December, 2012 by the decision of the Cabinet the State Guidance Organ of Disaster Prevention was organized as a standing body, and departments or posts exclusively dealing with disaster prevention were set up within Ministries of Agriculture, City Management, Land and Environmental Conservation, Railway and Forestry, and related national institutions and municipal and county people's committees, thereby establishing a unified guidance system of the Organ in this area.

26. November 16 was instituted as Mother's Day in high appreciation of women's contribution to the development of society and the wellbeing of families and with a view to further encouraging them to creditably fulfill their duty and mission before the society and the families.

27. The Central Court and the Central Public Prosecutors Office were renamed respectively the Supreme Court and the Supreme Public Prosecutors Office through the amending of the Constitution in April, 2010, to represent more clearly their power of final decision on the case at hand and the highest power in ensuring observance of the State laws and regulations.

28. People's Courts were set up in every municipality (or district) and county to replace the former regional People's Courts that had jurisdiction over several municipalities (or districts) and counties, thereby ensuring full exercise by citizens of their constitutional rights and improving conditions for law enforcement and legal consultations.

29. Necessary institutional measures were also taken to further enhance the role of the people's power organs as they have it as their main functions to promote human rights in the economic, social and cultural fields, so that people can better benefit from socialist measures in such fields as education, health care, urban management and housing. Officials of people's power organs were required to regard as their motto the slogan "Everything for people and everything by relying on them!"

IV. Achievements in protecting and promoting human rights

A. Civil and political rights

1. The right to life and liberty

30. In the DPRK death penalty is applied to extremely restricted cases. In the case of a crime that harmed a person's life, for instance, death penalty is not imposed unless it is, though intentional, an extremely heinous and grave act.

31. Death sentence was not imposed for a crime committed by a person below eighteen years of age and was not carried out on a pregnant woman as provided in article 29 of the Criminal Law.

32. General amnesties were granted to convicted persons by the Presidium of the Supreme People's Assembly in January 2012. The Cabinet and people's committees at all levels took every necessary measure to provide jobs, residence, etc, to those released so that they could resume their normal life without any inconveniences.

33. Many of those who committed serious crimes had their term of penalty commuted under the Criminal Law amended in 2010. The new measure proved very effective in helping them repent of their crimes more sincerely and work harder for the society and collective.

34. In accordance with articles 5 and 41 of the Criminal Law, law enforcement organs strictly abided by the principle of showing leniency to and forgiving an offender in case he/she repented of his/her crime and surrendered him/herself voluntarily.

2. Independence of court

35. Measures were taken to ensure the independence of the court, essential for impartially settling cases, in accordance with article 166 of the Constitution and article 271 of the Criminal Procedure Law.

36. The Supreme Court issued several directives to the effect that no institution including a higher-level court shall violate the independence of a tribunal set up for the settling of a case at hand by giving directions foretelling the outcome of a trial, and that court decisions and awards shall not have legal effect unless the independence of a given tribunal is ensured.

37. The tribunal set up in accordance with the Criminal Procedure Law and the Law on Organization of Courts was obligated to be fully responsible before the law for the judgment of a criminal case.

3. The right to fair trial

38. Comprehensiveness, scientific accuracy, objectiveness, prudence and impartiality, and full protection of human rights in the handling of criminal cases were ensured in accordance with articles 5 and 7 of the Criminal Procedure Law.

39. The Criminal Procedure Law was amended in October 2011, providing for, in article 171, the attendance of a judicial clerk and, if necessary, an observer to an interrogation and the audio-video recordings of interrogation and trial process, thereby ensuring fairness, objectivity and scientific accuracy of a trial.

40. Defence councils played an important role in ensuring fair trial. They carried out their mission in such a way that the rights of an accused under the Criminal Procedure Law were fully ensured, the truth of a given case disclosed beyond doubt, analyzed and concluded by the tribunal. Should an innocent person be given a verdict of guilty or imposed punishment be too heavy for the gravity of committed offence, they helped the accused make an appeal for rejudgment of the case. In case they learned about any violations of human rights or abuse of power by law enforcement officials in the process of handling cases, defence councils brought the matter to the attention of the court for relevant measures.

4. The right to submit complaints and petition, freedom of expression

41. Citizens' rights to submit complaints and petition were effectively ensured under article 69 of the Constitution and the Law on Complaints and Petition amended in 2010. The complaints-handling machinery established at all institutions, enterprises and organizations from the central level down to the grassroots was further reinforced and regularly operated. Central, provincial, municipal and county-level institutions dealt with the received complaints on the Day of Complaints Consideration once a month and other institutions in a concentrated manner at the consultative meetings of senior officials.

42. Special attention was directed to complaints concerning the method and style of work of law enforcement officials. Complaints and petitions concerning their infringement of citizens' rights were rigorously dealt with and punished at the law enforcement organs at all levels, thus raising citizens' trust in the latter.

43. State institutions at all levels examined and settled the complaints and petitions within the prescribed period of time in the interests of people and with a spirit of serving the people in good faith, while taking measures to prevent the officials from abuse of power and bureaucratic practices and improve their work method and style.

44. Citizens' freedom of expression and press were effectively guaranteed and protected by the Constitution, Copyright Law, Science and Technology Law and Computer Software Protection Law. Citizens expressed their views on various social and political issues through mass media and forums, and participate in annually-held national or regional exhibition of scientific and technical achievements, software contests, prize contests of literature and art works and audio-visual performances to present their creative works and have them protected. Children as well as adults also created literature and art works and had them published in periodicals or Collection of Children's Works.

45. Citizens' rights to access to information were ensured by the Telecommunications Law, Electronic Authentication Law and Computer Network Management Law enacted during 2011 and 2012, which legalized the obligations of the State, institutions, enterprises and organizations for the ensuring and protecting of such rights. Remarkable progress was made in informatizing all branches of national economy and social life, and improving the information service and expanding its coverage.

B. Economic, social and cultural rights

46. It is the goal of the Government of the DPRK to turn the country in the near future into a knowledge-based economic power by dint of advanced science and technology and

the devoted efforts of the people to make it a reality brought about remarkable achievements in the protection and promotion of economic, social and cultural rights.

1. The right to health care

47. The Government, while invariably practicing the complete and universal free medical care, endeavoured to put in place material and technical foundations to enable all people throughout the country receive good quality health service on time whenever necessary.

48. In order to reach the world level in major health indicators like life expectancy, births attended by skilled health workers, infant mortality rate, communicable diseases prevention rate, Country Strategy for Health (2011–2015), Strategy for Drug Management, Program for Control of AIDS, Tuberculosis and Malaria, Reproductive Health Strategy and other sector-specific programs were formulated.

49. One of the greatest achievements in the field of public health during the past 4 years was that many of health centres and production bases of drugs and medical appliances across the country were modernized, thus creating conditions for the free medical care system and other popular health policies to further contribute to promoting people's health.

50. State budgetary expenditure on public health increased systematically, with the result that expenditure in the fiscal year 2013 increased by 105.4% compared to the previous year.

51. The Government also took measures for the modernization of pharmaceutical factories, normalization of drug production, scientification and industrialization of the production of traditional Koryo medicine and effective use of mineral springs and spas so that people can better benefit from free medical care system.

52. Hi-tech telemedicine service was introduced throughout the country in 2012, with the scope of its application being further expanded. Telemedicine service system was established linking the general hospitals and maternity hospital in the capital city with provincial and maternity hospitals and 200-odd county hospitals, by means of which consultations, lectures and directions for operation were provided. In particular, the nationwide introduction of telementoring in 2013 to meet domestic requirements made it possible for skilled surgeons at the higher-level hospitals to monitor and provide directions for operations at the lower-levels.

53. World-class Okryu Children's Hospital, Ryugyong Dental Hospital, Munsu Recovery Center, General Dental Hospital and other modern medical centres were built. Vaccine factories, Pyongyang Municipal Hospital No.2, Korean Red Cross Hospital and Pyongyang Maternity Hospital were rebuilt or renovated. Production processes at pharmaceutical and medical appliances factories in the capital city and provinces were modernized, with the result that in 2013 production figures in this field reached those in the peak production year.

54. The Disease-Free Village Campaign was launched actively, so that hygienic and cultured environment was created throughout the country, information about cleanliness and hygiene widely disseminated, vaccination carried out on a routine basis and efforts to promote healthy life style undertaken, which, in turn, resulted in considerable decrease of disease outbreak rate. Top priority given to child vaccination, the coverage of measles, HB, polio, BCG and DPT3 reached very high level.

55. The efforts of the Government to supply clean and safe drinking water to people have seen good results. Projects to make quality spring water available to all population were carried out and researches to use seawater for the sterilization of drinking water completed. In May 2013 indigenous high-tech water sterilizers were installed in all

reservoirs, making it possible for all the households, catering establishments and cultural centres to use quality water. Currently, proportion of population using improved drinking-water sources is 99.9% and those using improved sanitation 83.2%.

56. Life expectancy increased from 68 in early 2000 to 70.3 in 2010, and mortality rate decreased from 8.8 per thousand in 2000 to 8.5 in 2010. In January 2011, the World Health Organization noted in one of its reports that significant improvement was made in public health and primary medical care of the DPRK through its comprehensive and vibrant district doctor system, including considerable improvement in maternal and child health, and increased vaccination coverage.

2. The right to education

57. During the period under review, the Government took numerous measures to improve the quality of education, make education available and accessible to all and develop healthy and civilized socialist culture. State budgetary expenditure on education in the fiscal year 2013 increased by 106.8% as against the previous year.

58. The Ministry of General Secondary Education under the Education Commission, in accordance with the Cabinet decision for the implementation of the Ordinance of the Supreme People's Assembly on the Enforcement of Universal 12-year Compulsory Education, adopted practical measures for the introduction of new curricula and provision of required human and material resources. As of November 2013, preparatory work for operating a new education system was nearly completed.

59. Education For All National Action Plan by 2015 was formulated to put into effect the ideas and target of Jomtien Declaration and the Dakar Framework for Action on Education for All, and accordingly, progress was made in the improvement of the quality of education, modernization of educational equipment and improvement of educational environment.

60. Students of the DPRK proved successful in many of international contests, taking the first place in the national students' academic contests held in Romania in 2012 and 2013, winning gold and silver medals in the 54th International Math Olympiad held in Columbia in 2013 and taking first prize and special prize in the 20th International Juvenile Chopin Piano Contest held in Poland in 2012. All these serve as eloquent testimonies to the efforts made by the Government for the development of education.

61. E-libraries with a database of a large volume and high-tech information system were set up at **Kim Il Sung** University and many others, providing excellent conditions for educational researches and international scientific discussions and exchange.

62. A new TV channel for education launched in 2012 gave students great help in their studies through the televising of educational achievements at different universities, results of national software contests and exhibitions, lectures of renowned professors and latest news in science and technology.

63. Tele-education system for the working people across the country was set up at the Grand People's Study House, which makes it possible for scientists, technicians, officials and students to have, through the libraries and scientific and educational establishments in their localities, immediate access to the latest scientific and technical information helpful to solving problems arising in their practical activities.

64. The existing school support system was further reinforced, under which all institutions, enterprises and organizations were actively involved in providing schools under their charge with better educational conditions and stronger material and technical foundations, particularly in March and October, the months for school support.

3. The right to housing

65. The Government continued to implement the policy of building dwelling houses at the State expense and providing them to people free of charge.

66. A plan to finish construction of 100,000 housing units in the near future was formulated to provide people with more civilized living conditions. According to this plan a lot of modern houses were built in the capital city of Pyongyang in recent years and provided to people free of charge. They are, for instance, 3,000 flats of high-rise apartments built in the centre of capital city during 2011 and 2012, 300 flats with excellent living conditions for teachers and researchers of **Kim Il Sung** University, 1,100 units for scientists, 500 units for artists and 8,000 renovated units during 2010–2013.

67. Thousands of housing units were newly built or renovated in provinces, municipalities and counties, thus providing conditions for people to enjoy a more civilized and happy life. For instance, 400 housing units were built and 800 renovated in Changsong County, a mountainous region. Besides, many dwelling houses, schools and kindergartens were newly built on small and large islands on the West Sea.

4. The right to cultural life

68. The Government, having set an ambitious goal of building a civilized socialist nation, made great efforts to provide people with a more cultured and happy life. Places of recreation and relaxation and centers for cultural and leisure activities were set up in different parts of the country, creating conditions for people to relax and enjoy in a more diverse way.

69. Munsu Water Park, Rungna People's Pleasure Ground, Mirim Riding Club and many others were built in Pyongyang during 2012 and 2013 and in particular, Pyongyang Folklore Park where one can see monuments and relics related to 5,000-year-long Korean history and experience folk customs in a matter of a few hours. Considerable increase of people's interest in physical culture and sports and a significant improvement in sports technique of the country were noticeable with the appearance of peculiar-style community sports parks, indoor stadiums and roller skating grounds in different parts of the country, and in particular, Masikryong Ski Resort, another world-class monumental project aimed at providing more civilized life for people.

70. Every year people from all walks of life including youth and children enjoyed socialist benefits to their hearts' content, relaxing at resorts and camps at famous mountains, scenic spots, spas and seaside.

5. The right to food

71. The Government, while concentrating nationwide efforts on farming for addressing food shortages, took measures to further motivate farmers by improving methods of agricultural management such as evaluation of production output, distribution method and others.

72. Tideland reclamation was undertaken on an extensive scale, with the result that tens of thousands of hectares in the west coast including Taegye, Kwaksan and Ryongmae tidelands were converted into cultivable land. Introduction of double cropping made it possible to use the land more rationally and increase grain output.

73. Though affected by floods and typhoon, agricultural output increased year after year thanks to the nationwide efforts concentrated on farming including introduction of new agricultural science and technology, timely supply of farming materials and tools, resulted in improvement of food supply to people. Crop and Food Supply Assessment Mission

conducted jointly by the FAO and WFP valued the 2013 estimate crop output at over 5,664,000MT, much increase as against 2012.

74. Decisive measures for bolstering up livestock, fish and fruit farming were taken to satisfy increasing needs of people for better diet. Nationwide efforts are being made to create livestock base of about 50,000 hectare on the Sepho Plateau in Kangwon Province by 2015. Modern pig and chicken farms, and stock breeding farms were built in many areas of the country, fishing boats newly equipped, deep-sea fishing reactivated, and quality products turned out at breeding grounds and fish farms. 1,000-hectare Taedonggang Fruit Farm and Taedonggang Combined Fruit Processing Factory were set up in Pyongyang, 3,000-hectare Fruit Farm in Kosan, Kangwon Province and existing ones modernized, resulting in increased fruit output and improved diet of people.

75. Production capacity of foodstuff industry increased threefold as a result of overall technical renovation undertaken at about 400 local industrial factories including essential foodstuff factories, cornstarch factories and foodstuff processing factories.

C. Rights of special groups

1. Child rights

76. The Government, putting forward children as future masters of the country, regards it an important part of its work to create all conditions for them to grow up and live healthily under clean and culturally developed environment.

77. From 1976 when the Law on Nursing and Upbringing of Children was adopted to 2010, laws concerning the protection of child rights, namely, Family Law, Public Health Law, Education Law, General Secondary Education Law and Law on Protection and Promotion of Child Rights were adopted, thus securing firm legal guarantees for the effective promotion of child rights on the principle of best interests of the child.

78. Modernly-equipped Okryu Children's Hospital was built in Pyongyang in 2013, provincial children's hospitals renovated on modern lines and first-aid, vaccination and other medical service for children improved in quality.

79. For the promotion of health and nutrition of children and students soybean milk production bases were set up not only in cities but also in the countryside, and people's committees concerned assumed direct responsibility for the whole process from the supply of raw and other materials to the production and transport of the milk.

80. Children's nutritional condition improved significantly. Infant and under-5 mortality rate in 2010 were 16.7 and 22.7 per 1,000 live births respectively, a 50% decrease as against the late 1990s. Under-5 chronic malnutrition rate in 2012 stood at 27.9%, an improvement as against 32.3% in 2009.

81. In the light of the requirements of the era of knowledge-based economy and the world educational development trends universal 12-year compulsory education system was introduced as part of the efforts to attain the education-related Millennium Development Goals on higher level, thereby creating conditions for children to acquire comprehensive knowledge.

82. Branch schools were set up, trains, buses or boats provided for students in remote mountainous villages and islets, and school materials and fixtures supplied to them so that they could have equal schooling with urban children.

83. In order to help students develop intellectually, morally and physically, students' halls and extracurricular sports schools in the capital city and localities were extensively refurbished, where students conducted diverse cultural and sports activities after school.

Children's Union Camps were also renovated in a modern style, providing better conditions for children to fully enjoy themselves at scenic spots across the country.

84. As the State took it upon itself to look after children without parents, they were taken good care of at the State expense. Clothes were provided to them twice a year and school materials and nutritive foods regularly. In 2013 vehicles were provided to their schools for use in the management and supply service.

85. In April 2012 school uniforms were given to millions of students at primary and secondary schools, colleges and universities at a very low price subsidized by the State.

2. Women's rights

86. With the adoption in 2010 of the Law on the Protection and Promotion of Women's Rights public awareness of women's rights was further raised and social atmosphere of respecting them and providing sufficient conditions for their work and life established.

87. In accordance with the State measure taken in December, 2010 to encourage women to take a more active part in public life, efforts were made to motivate the advance of women in political and social life and provide them with necessary conditions, with the result that a lot of former housewives with college or university degrees volunteered to work for the society.

88. There are, in the State policies, laws and regulations, provisions favoring women's interests over men's but no discriminatory provisions whatsoever, and all women are enjoying equal rights with men in political, economic and cultural matters, as well as in family.

89. On the occasion of the first Mother's Day in the DPRK, the 4th National Mothers' Meeting was held on November 16, 2012, at which State commendations were awarded to women who gave birth to several children and brought them up creditably, those who took care of parentless children, model workers and those who did a lot for the society and collective.

90. On Mother's Day art performances and amusements were arranged, special services provided to women at public catering establishments and other diverse functions organized, thus fostering social atmosphere of treating women considerately.

91. The Government directed special attention to the maternal health and took a series of measures in that regard.

92. In accordance with article 66 of the Labour Law, working women are entitled, in addition to regular and additional holidays, to 60- and 90-day leave before and after childbirth irrespective of their term of service. At central and provincial maternity hospitals women receive free treatment not only for childbirth but for health care before and after delivery. For instance, during the past 30 years since the opening of Pyongyang Maternity Hospital over 6,730,000 women benefited from treatment by use of modern medical appliances and tonics of all varieties, and 710,000 babies were born including more than 400 triplets and quadruplets. The number of foreign women who received free medical care or had childbirth at this hospital in the same period totals over 7,000.

93. In 2010, proportion of births attended by skilled health personnel reached 97.3% and percentage of contraception 70.6% thanks to the responsible care of women before and after childbirth by polyclinics and *ri*-people's hospitals and a high level of family planning provided by them.

94. In 2012, Breast Tumor Institute was set up under Pyongyang Maternity Hospital for the purpose of preventing, treating and conducting scientific research of breast tumor and related diseases, thus making it possible for women to enjoy more fully the benefits of

socialist health care system. A well-organized system has been established for the early identifying of breast tumor and currently, examination and treatment of all women across the country are being conducted at regular intervals.

95. Women's health recorded significant improvement, which is evidenced by the decrease of maternal mortality rate of 105 per 100,000 live births in 1997 to 68.1 in 2012, paving the way for achieving one of the MDGs to reduce by three quarters the ratio of women dying in childbirth by 2015.

3. The right of older persons

96. As in other countries, the early 2000s saw a sharp increase of aging population in the DPRK and around 2010 the percentage of older persons over 60 years of age reached more than 10% of the population, surpassing the world aging level. Such challenge led the DPRK Government to take numerous social, economic, health and medical measures for the aging population.

97. The Law on the Protection of the Elderly adopted in April 2007 was amended on two occasions, thus securing legal guarantee for providing them with better living conditions.

98. The Korean Association for Helping the Aged founded in 2003 was reorganized to be the Korean Federation for the Care of the Aged in 2006 with the authority to provide unified guidance and control of the domestic efforts in this area.

99. With a view to keeping pace with the Madrid Program of International Action for Older Persons and other world movement for the solution of the aging problem and to invigorating domestic efforts on a planned basis, this Federation formulated the Strategy of the Korean Federation for the Care of the Aged (2010-2014), which is under implementation.

100 In August 2010 Korean Elderly Care Fund was set up to further invigorate the efforts for the protection of the older persons.

101. In accordance with the articles 17 and 19 of the Social Security Law the older people are provided with old-age pensions and subsidies commensurate with their term of service and performance, along with preferential medical service.

102. Under the district doctor system, doctors in charge provide primary medical service to older persons, while specialized treatment is provided at the geriatrics departments of provincial hospitals and geriatrics clinic under the Korean Red Cross General Hospital. The geriatrics institute is working on gerontology and health care.

103. Beautiful traits of caring for old people as their own parents are displayed by many citizens, and a lot of old people with no one to depend on are spending their remaining years in comfort with their relatives, neighbours or friends.

104. On International Day of Older Persons every year people visit old people's families and homes to give them material and moral support and the institutions concerned arrange diverse cultural events for them, thus establishing social atmosphere of respecting and caring for the old people.

4. The right of persons with disabilities

105. At present persons with disabilities account for 5.8% of the population, of whom those with hearing impairments make up more than 10%.

106. The DPRK, after signing the UN Convention on the Rights of Persons with Disabilities, made consistent efforts in accordance with its Law on the Protection of

Persons with Disabilities for the safeguarding of their rights and interests, rehabilitation of their health and provision of conditions for them to participate in public life with equal rights with normal people.

107. There has been established under the Korean Federation for the Protection of Persons with Disabilities Korean Company Supporting the Disabled (January, 2010), Korean Sports Association of Persons with Disabilities (August, 2010), Korean Rehabilitation Centre for Children with Disabilities (March, 2012) and Korean Arts Association of Persons with Disabilities (December, 2012), thereby creating better conditions for the protection of persons with disabilities.

108. A lot of persons with disabilities were provided with prosthetic devices and tens of thousands of persons with cataracts given successful treatment, thus preventing them from loss of eyesight.

109. The Korean Rehabilitation Centre for Children with Disabilities is focusing on the early detection of disabilities and early recovery among children aged between 3 and 8, as well as their comprehensive education on a pilot basis. Achievements were also made in improving educational amenities and living conditions of special schools for children with disabilities and updating the contents of vocational education.

110. With a view to raising public interest in the art of persons with disabilities and creating at home and abroad favourable conditions and environment for further improving it, new works of dance and jugglery were created and put on stage on the occasion of the International Day of Persons with Disabilities.

111. Starting in 2010 on the occasion of the International Day of Persons with Disabilities national table-tennis games of persons with disabilities and amateurs were held amid great interest of people and fans under the sponsorship of the Korean Sports Society of Persons with Disabilities. Professional swimmers, archers, shooters and athletes are being trained in cooperation with sports institutions to prepare for competing in the International Paralympics.

112. Participation of a DPRK swimmer in the 14th Paralympics in 2012 served as an important occasion in drawing world attention to the DPRK's efforts for the protection of persons with disabilities. The DPRK table-tennis players and swimmers won 4 silver and 1 bronze medals at the 3rd Asian Youth Paralympics held in Malaysia in 2013.

113. The vocational school for persons with disabilities set up in May 2012 gave them technical training so that they could get jobs in different categories of labour.

114. The Korean Federation for the Protection of Persons with Disabilities is, on the basis of the mid-term plan (2012–2015) for further improvement of its work, undertaking preparatory work for raising the level of vocational training, provision of decent working and living conditions and comprehensive education for children. Efforts are also being made to remove communication barriers, encourage sports and art activities and establish association of dumb and deaf persons and of women with disabilities.

D. Education in law observance

115. Great emphasis was placed on education of citizens in law observance. The system of law observance education established from the central level down to the grassroots institutions, enterprises, organizations, *dong* and neighbourhood units proved instrumental to enabling citizens to be well aware of and exercise the full range of their rights provided in the Constitution and other laws, to respect other persons' rights and to faithfully fulfill their obligations under the laws.

116. The Presidium of the Supreme People's Assembly sent a quarterly plan for law observance education to the provincial, municipal and county people's committees, on the basis of which institutions, enterprises and organizations worked out their monthly and weekly plans. Persons with due qualifications and good records of law observance were chosen from among the employees to conduct the education regularly and effectively.

117. Judicial, prosecutorial and people's security organs were actively involved in education in law observance. Officials regularly met with the employees of the institutions, enterprises and organizations, and residents in the areas under their jurisdiction to provide explanations of laws and first-hand information of good observance or violations of laws by citizens.

118. Model Law Observance Unit Movement for the purpose of stimulating units to be free of crimes and illegal acts produced 50 to 70 units winning the honour annually. This Movement proved very effective in encouraging institutions, enterprises and organizations to intensify law observance education among their employees and thus increase their obedience to law and prevent violations thereof.

E. International cooperation in the field of human rights

119. The DPRK continues to hold its position to reject the politicization, selectivity and double standards in the international field of human rights and remains committed to promoting sincere dialogue and cooperation based on the principle of impartiality and objectivity.

120. Proceeding from this stand the DPRK paid close attention, during the past 4 years, to the international cooperation in the field of human rights and made efforts for its realization. In particular, it responded in a sincere and open-minded manner to the questions raised by human rights bodies under UN system including the UNOHCHR and treaty bodies, and issues by human rights-related NGOs. Cooperation was provided to the fullest possible extent by clarifying DPRK's principled stand and to clear any doubts in respect of human rights during the visits of several foreign delegations including the EU.

121. The annual adoption of the anti-DPRK "resolutions" in the UN human rights arena since 2003 and the subsequent appointment of "special rapporteur" and setup of "commission of inquiry" are the products of politically-motivated confrontation and conspiracy on the part of the United States and its followers aiming at overthrowing, under the pretext of human rights protection, the sovereign State and a social system of its people's own choice. The DPRK has consistently and totally rejected the anti-DPRK conspiracy and plot, which have nothing to do with genuine human rights protection, and this stand will remain unchanged.

122. Human rights are guaranteed by each and every sovereign state. Accordingly, human rights mean state sovereignty. Any attempt to interfere in the internal affairs of a sovereign state and overthrow its social system under the pretext of protection of human rights constitute acts against humanity and acts of violating of human rights and, therefore, should be rejected.

123. Politically-motivated confrontation in the field of human rights is incompatible with genuine human rights dialogue and cooperation. Any tolerance of such confrontation will lead to distrust, antagonism and enmity among countries and the ongoing efforts of the international community for the protection and promotion of genuine human rights will come to nothing.

124. As it has faithfully fulfilled its obligations under the international human rights instruments to which it is a party, the DPRK will make every possible endeavour to oppose

high-handed and arbitrary practices and promote genuine human rights dialogue and cooperation in the international field of human rights.

V. Challenges and future goals

A. Obstacles and challenges

125. The persevering efforts of the DPRK for the protection and promotion of human rights continue to face serious challenges and obstacles. The nearly 70-year long national division forced by foreign forces in the last century, hostile policy towards the DPRK pursued by the United States since the early days of the founding of the former, attempts by the United States and other hostile forces to stifle the DPRK and harsh economic sanctions against it; all these constitute the most serious challenges and obstacles to the its independent and peaceful development as well as the enjoyment of human rights by Korean people.

126. In particular, the US non-recognition of the DPRK and its sanctions, pressures and military threat applied to it under all sorts of pretexts for the last half a century constitute the most grave acts against humanity and a serious violation of human rights, constantly threatening and encroaching upon the Korean people's right to life and peaceful living.

B. Future goals

127. The DPRK will further accelerate the building of an economic power and a socialist civilized country by taking positive and innovative measures so that people can enjoy a better and more civilized life.

128. The DPRK will hold fast to people-centred, socialist policy on protection and promotion of human rights and further perfect the legal and institutional framework for the people to fully enjoy their rights to political freedoms and rights, work and subsistence, education and health care and other rights that social beings are entitled to, thereby ensuring within the maximum extent possible their legitimate rights and interests.

129. The DPRK will continue to take positive and practical measures for invigorating the country's economy as a whole, thereby making a turning point in the economic construction and improvement of people's living.

130. The DPRK will make every possible effort to protect its people's lives and well-being from the moves and military threat of the hostile forces, the impediments to the protection and promotion and enjoyment of human rights.

131. The DPRK will continue to faithfully implement the international human rights instruments to which it is a party, achieve the MDGs and do everything in its power to make the principle of impartiality and objectivity in the international field of human rights a reality.

VI. Conclusions

132. The DPRK, a socialist State guided by the people-centred Juche idea in its activities, will, on the principle of giving top priority to ensuring interests and convenience of people, make persevering efforts for the protection and promotion of human rights and bring earlier a thriving country where people will enjoy a better life and prosperity.

Annex I

Typical national institutions participated in the preparation of national report for UPR-2.

1) Presidium of the Supreme People's Assembly
2) Secretariat of the Cabinet
3) Supreme Court
4) Supreme Public Prosecutors Office
5) Ministry of People's Security
6) State Planning Commission
7) Education Commission
8) Ministry of Foreign Affairs
9) Ministry of Finance
10) Ministry of Public Health
11) Ministry of Agriculture
12) Ministry of Labour
13) Ministry of Culture
14) Ministry of Land and Environment Protection
15) Ministry of Construction Supervision
16) Ministry of City Management
17) Central Statistics Bureau

Annex II

Social organizations, academic institutions and non-governmental organizations participated in the consultations for the preparation of national report for UPR-2.

1) Central Committee of the Korean Trade Union
2) Central Committee of the Korean Agricultural Workers' Union
3) Central Committee of the Korean Democratic Women's Union
4) Central Committee of **Kim Il Sung** Socialist Youth League
5) Central Committee of the DPRK Red Cross Society
6) Central Committee of Korean Journalists' Union
7) Central Committee of Korean Federation for the Protection of Persons with Disabilities
8) Korean Medical Association
9) Korean Human Rights Institute
10) Central Committee of the Korean Bar Association
11) Korean Democratic Lawyers' Association
12) Korean Association for Family Planning and Maternal and Infant Health
13) Korea Education Fund
14) Law College of the **Kim Il Sung** University
15) University of National Economy
16) Law Institute of Academy of Social Sciences

United Nations A/HRC/WG.6/19/PRK/2

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Democratic People's Republic of Korea

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the United Nations High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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Please recycle

I. Background and framework

A. Scope of international obligations[1]

International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICESCR (1981) ICCPR (1981) CEDAW (2001) CRC (1990)	CRPD (signature only)	ICERD ICCPR-OP 2 CAT OP-CAT OP-CRC-AC OP-CRC-SC ICRMW CRPD (signature only) CPED
Reservations, declarations and/or understandings	ICCPR (Notice of withdrawal)[3] CEDAW (reservations, arts. 2 (f), 9 (2) and 29 (1), 2001)		
Complaint procedures, inquiry and urgent action[4]			ICERD OP-ICESCR ICCPR, art. 41 ICCPR-OP 1 OP-CEDAW CAT OP-CRC-IC ICRMW OP-CRPD CPED

Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide Geneva Conventions of 12 August		Rome Statute of the International Criminal Court

Status during previous cycle	*Action after review*	*Not ratified*
1949 and Additional Protocol I[5]		Palermo Protocol[6]
		Conventions on refugees and stateless persons[7]
		Additional Protocols II and III to the 1949 Geneva Conventions[8]
		ILO fundamental conventions[9]
		ILO Conventions Nos. 169 and 189[10]
		UNESCO Convention against Discrimination in Education

1. The Secretary-General recalled recommendations by treaty bodies that the Democratic People's Republic of Korea consider joining the International Labour Organization, with a view to ratifying Conventions No. 182 concerning the Worst Forms of Child Labour and No. 138 concerning the Minimum Age for Admission to Employment.[11]

B. Constitutional and legislative framework

2. The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea ("the Special Rapporteur") noted that in the 2009 reform of the Constitution, the words "human rights" had been inserted into the text. However, he added, the country's notion of human rights was much related to the protection of the elite and the rejection of external threats, rather than the human-centric notion of universal human rights.[12]

3. The Secretary-General observed that there were limited provisions in the Constitution addressing the specific needs of women and children, as provided for under the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).[13]

4. The Special Rapporteur noted that a number of provisions in the Criminal Code fell below the standard required to ensure due process of law. He highlighted: that the definition of "labour training" and "training detention facilities" remained unclear; that the possibility of a broad interpretation of the category of "political crime" remained; and that "crimes by association" were maintained in several parts of the Criminal Code. Additionally, he noted that similar vague terms, such as "extremely grave crime" and "reform through labour", were contained in an addendum to the Criminal Code, which was adopted in 2007.[14] The Secretary General expressed similar concerns.[15]

5. The Special Rapporteur recalled that in 1987 the Democratic People's Republic of Korea had made revisions to its Criminal Code, and had reduced the number of crimes punishable by death from 33 to 5.[16] However, in 2007 the country adopted a law entitled "addendum to the Criminal Code for ordinary crimes", which had functioned as a complement to the Criminal Code, and carried the same weight as other provisions of that Code. The addendum comprised a total of 23 articles, of which 16 stipulated the death penalty for a number of crimes. He noted that the addendum contained a number of vague

expressions which left room for arbitrary decisions and permitted the application of capital punishment for various crimes as long as the authorities were able to establish that the crime in question was "extremely serious" and fell under one of the 16 listed crimes.[17]

6. The Special Rapporteur stated that specific legislation to deal with all forms of violence against women and accompanying prevention and protection measures for victims was lacking[18] and recommended that the country adopt specific legislation on domestic violence.[19]

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[20]

7. As of 31 October 2013, the Democratic People's Republic of Korea does not have a national human rights institution accredited by the International Coordinating Committee for National Human Rights Institutions.[21]

II. Cooperation with human rights mechanisms

8. The Secretary-General called upon the Government to follow up on the recommendations of the universal periodic review by clarifying which recommendations it supported and by providing information on measures taken to implement recommendations.[22]

9. In 2013, the United Nations High Commissioner for Human Rights ("the High Commissioner") noted that the Government had persistently refused to cooperate with successive Special Rapporteurs and with her Office and stated that for this reason, and because of the enduring gravity of the situation, an in-depth inquiry was long overdue.[23]

10. In 2013, the Human Rights Council adopted resolution 22/13, by which it established a commission of inquiry to investigate the systematic, widespread and grave violations of human rights in the Democratic People's Republic of Korea,[24] reinforcing the message sent by the General Assembly on 20 December 2012, when, for the first time, it adopted, without a vote, a resolution on the human rights situation in that country (resolution 67/181).[25] The Secretary-General noted that, in May 2013, the Permanent Representative of the Democratic People's Republic of Korea reiterated that his country neither recognized nor accepted the "resolutions" adopted by the Human Rights Council and the "Special Rapporteur" and totally and categorically rejected the Commission of Inquiry.[26] The Secretary-General urged the Government to fully cooperate with the Special Rapporteur and the Commission.[27]

11. In 2013, the Commission of Inquiry indicated that the Democratic People's Republic of Korea had so far not cooperated with the Commission, which remained available to visit the country and engage in dialogue. Lacking access, the Commission had conducted public hearings involving victims and witnesses in several other countries.[28]

A. Cooperation with treaty bodies[29]

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
CESCR	November 2003	–	–	Third report overdue since 2008
HR Committee	July 2001	–	–	Third report overdue since 2004
CEDAW	July 2005	–	–	Second report overdue since 2006
CRC	January 2009	–	–	Fifth report overdue since 2012

12. In several reports, the Secretary-General encouraged the Government to submit outstanding reports on the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).[30]

B. Cooperation with special procedures[31]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	–	–
Visits agreed to in principle	–	–
Visits requested	The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea requested visits in 2004, 2005, 2006, 2007 and 2009. The Special Rapporteur on the right to food requested visits in 2003 and 2009.	The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea requested visits in 2010 and 2011, 2012 and 2013.
Responses to letters of allegations and urgent appeals	During the period under review four communications were sent. The Government replied to one communication.	

13. The Special Rapporteur offered to provide assistance in improving the human rights situation[32] and urged the Government to cooperate with his mandate.[33] The Secretary-General urged the Government to cooperate with the Special Rapporteur and thematic special procedures[34] and to provide access so that they could observe the human rights situation in the country.[35]

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

14. The Secretary-General strongly encouraged the Government to cooperate with all the United Nations human rights mechanisms and to engage with OHCHR and avail itself

of the Office's expertise to improve the human rights situation and amend national legislation to ensure its compatibility with international human rights standards.[36]

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

15. In 2013, the Special Rapporteur undertook a comprehensive review of United Nations documentation and resolutions on the situation of human rights in the Democratic People's Republic of Korea since 2004,[37] leading to the identification of nine key inter-linked issues or patterns of violations of human rights that the United Nations had focused on:[38] violation of the right to food;[39] torture and other cruel, inhuman and degrading treatment or punishment;[40] arbitrary detention and the lack of rule of law;[41] violations of human rights associated with prison camps;[42] discrimination and the disproportionate or specific effect of human rights violations on vulnerable groups;[43] extensive violation of freedom of expression and related freedoms;[44] violation of the right to life, in particular the abusive application of the death penalty and the use of public executions;[45] restrictions on freedom of movement and abusive treatment of citizens forcibly returned;[46] and enforced disappearances, including in the form of abductions of foreign nationals.[47]

16. The Special Rapporteur expressed the view that many, if not all, of the nine patterns of violation identified may amount to crimes against humanity under article 7 of the Rome Statute of the International Criminal Court.[48]

A. Equality and non-discrimination

17. The Special Rapporteur observed that, despite guarantees of gender equality in the Constitution, there were various discrepancies disadvantaging women in the country. He noted that their participation in earning a livelihood had been constrained by various measures imposed by the authorities as part of the clampdown on the market system, which included the prohibition on trading by women under a certain age.[49]

18. The Special Rapporteur indicated that the social structure in the country revolved around the official *songbun* structure, under which there were three groups, usually known as "core", "wavering" and "hostile" classes.[50] He noted that the Government classified the population according to a system of loyalty, which resulted in unequal access to food, housing, medical care and employment and education opportunities. The two categories of citizens who suffered the most from that system were those classified as the "hostile" and the "wavering" classes. Members of the "hostile" class faced the greatest number of restrictions and could not live in Pyongyang or other major cities or be admitted to colleges or universities.[51]

19. The General Assembly, in its 2011 and 2012 resolutions, addressed the specific vulnerability of children, in particular the continued lack of access to basic economic, social and cultural rights. In those resolutions, the Assembly pointed to the particular vulnerability of repatriated children, street children, children with disabilities, children whose parents were detained, and children living in detention or in institutions or in conflict with the law.[52]

B. Right to life, liberty and security of the person

20. The High Commissioner stated that the death penalty seemed often to be applied for minor offences and after inadequate judicial processes, or sometimes without any judicial process at all.[53] In 2013, several special procedures mandate holders stated that the high-profile execution of a senior official, with a total disregard for due process, was just one among multiple executions reported in the country since August. Reports of public executions in different locations, in particular during recent months, were noted.[54] The Special Rapporteur recommended that the Government adopt a moratorium on capital punishment and put an end to public executions.[55]

21. The High Commissioner stated that there was an urgent need to clarify the fate of the many persons from neighbouring countries abducted over the years, as well as of the civilians taken to the North during the Korean War, and to seek truth, justice and redress for their long-suffering families.[56] The Special Rapporteur was concerned that no progress had been made in resolving the question of the abduction of foreign nationals, noting that some 500 unresolved cases had been reported.[57]

22. In 2013, the Working Group on Enforced or Involuntary Disappearances noted that, since its establishment, it had transmitted 20 cases to the Government and that all remained outstanding[58] as the information provided by the Government was not considered sufficient to clarify those cases.[59]

23. The Special Rapporteur observed that there were four types of basic punishment: the death penalty, an unlimited term of correctional labour, a limited term of correctional labour and labour training. Convicts sentenced to unlimited or limited correctional labour were detained in correctional centres (*kyohwaso*) and underwent "corrections" through labour. Those sentenced to correctional punishment would be detained in the Correctional Bureau of the Ministry of People's Security.[60] He noted claims that human rights abuses, including deaths, were rampant inside correctional centres.[61]

24. The Special Rapporteur also indicated that a number of "political concentration camps" (*kwan-li-so*) were reported to be operating.[62] In 2012, several special procedures mandate holders transmitted a general allegation to the Government concerning the alleged use of camps, known as *kwan-li-so*, for political prisoners. They noted reports that prisoners detained at those camps were not given a trial, and were held incommunicado without notice of the charges against them, or information on the length or place of detention.[63]

25. The Commission of Inquiry indicated that satellite images obtained indicated that at least four political prison camps remained fully operational. It noted that in recent years a fifth camp had apparently been significantly downsized and another camp closed. The Commission would seek to establish whether the prisoners of these two camps had been transferred or released, or had died.[64]

26. The High Commissioner stated that the camp system involved rampant violations, including torture and other forms of cruel and inhumane treatment, summary executions, rape, slave labour and forms of collective punishment that may amount to crimes against humanity. Living conditions in the camps were reported to be atrocious, with totally insufficient food supplies, little or no medical care and inadequate clothing.[65]

27. The Special Rapporteur indicated that one particularly worrying practice was detention due to guilt by association: when a person was punished for a political or ideological crime, members of his or her family were also punished.[66] The Working Group on Arbitrary Detention, in two opinions regarding allegations of the detention of six individuals because of their family ties to persons who had left the country,[67] noted the Government's reply[68] and indicated that, under certain circumstances, widespread or systematic imprisonment or other severe deprivation of liberty in violation of the

fundamental rules of international law may constitute crimes against humanity.[69] The Special Rapporteur called on the Government to release political prisoners, particularly those whose imprisonment was based on their association with their relatives, and invite independent international organizations to visit so as to assess and monitor prison conditions and recommend reforms to the prison system.[70]

28. In 2013, the Commission of Inquiry noted in a press release that women were at the centre of the testimony presented: they were the victims of the worst abuses: in detention, when they were tortured, sexually assaulted and raped; when they fended for their families suffering the effects of food shortages, by taking dangerous routes to illegally cross into a third country to find ways to feed their children.[71] The Special Rapporteur noted information regarding the treatment of women in detention, and the practice of forced abortion and infanticide.[72]

29. The Special Rapporteur noted reports that husbands often threatened their wives physically if they did not respect or obey them. There was a perception that domestic violence was not a crime and that the State should not intervene in private family matters.[73] Violence against women was reported to be pervasive in workplaces and local communities.[74]

C. Administration of justice, including impunity, and the rule of law

30. The Special Rapporteur indicated that the justice system was subservient to the State, and judges, prosecutors, lawyers and juries were part of the State machinery. Thus independence of the judiciary and safeguards for the accused were lacking.[75] The Secretary-General stated that remedies were hampered by the lack of independence of judicial organs.[76]

31. The Special Rapporteur indicated that, as the court system currently stood, the Central Court was accountable to the Supreme People's Assembly, pursuant to article 162 of the Criminal Code. Furthermore, article 129 of the Criminal Code made judges subject to criminal liability for handing down "unjust judgements". The Special Rapporteur expressed the belief that the need to maintain the separation of powers, as required by article 14.1 of ICCPR, was compromised.[77]

32. The Special Rapporteur recommended that the Government act against the impunity of those responsible for the violence and violations by permitting means of effective redress at the national and local levels.[78]

D. Right to privacy, marriage and family life

33. The High Commissioner observed that, six decades after the war, the plight of the tens of thousands of families separated by the conflict in the Korean Peninsula remained largely unresolved.[79] The Special Rapporteur called on the Governments of the Republic of Korea and the Democratic People's Republic of Korea to explore the possibility of setting up an additional mechanism, more robust than the current process, for addressing the problem of separated families.[80]

34. The United Nations country team in the Democratic People's Republic of Korea (UNCT) noted that it was widely understood and commonly believed that the Government had an elaborate and sophisticated system of surveillance in place to systematically monitor and control people's behaviour and activities.[81]

E. Freedom of movement

35. UNCT observed that the Constitution gave the people the freedom to reside and travel as they chose. However, in practice, that did not appear to be the case as people's movement was fairly limited and restricted. While movement restrictions in and out of the capital, Pyongyang, were strictly enforced, it was not clear if such restrictions were applied in other parts of the country.[82]

36. The Special Rapporteur noted that it was a criminal offence for citizens to leave the country without permission. Article 62 of the Criminal Code banned citizens from travelling to another country without State permission. He noted numerous reports and testimonies of persons being sentenced to up to five years in a prison camp, and sometimes to death, for leaving the country without permission.[83]

37. In 2013, the Special Rapporteur indicated a notable trend toward tightened border control and harsher punishment of those fleeing the country. He stated that reports suggested that the new Government had enacted a shoot-on-sight decree to crack down on unauthorized crossing of the northern border. That, together with the increased number of incidents of refoulement, partly explained the significant decrease in the number of individuals who had reached a neighbouring country since 2012.[84] He called on the Government to share information on the status and treatment of persons who had been returned to the country.[85]

F. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life

38. The Special Rapporteur noted that the authorities claimed that religious freedom was enjoyed in the country. He observed nonetheless that such claims were contradicted by other sources which indicated persecution of religious movements, as the latter were seen as competing with the personality cult of the leader.[86]

39. UNCT stated that it had not observed any signs, as compared with the previous universal periodic review exercise in 2009, that indicated any improvements in the freedom of expression/speech.[87]

40. The Special Rapporteur was concerned by reports that the authorities continued to impose severe restrictions on the rights to freedom of opinion, expression and assembly, despite constitutional guarantees of those rights.[88] He noted that the provisions of the Press Law were not in line with a State party's obligation under ICCPR. He indicated that article 48 of the Press Law empowered the State to criminalize any statement, publication, news or article critical of the State or its organs. When the Government further amended the Criminal Code in April 2004 to include specific acts that would constitute such crimes, it included listening to broadcasts from a neighbouring country; collecting, possessing and circulating printed matter from a neighbouring country; and spreading unfounded rumours.[89]

41. The Special Rapporteur indicated that while cell phones were allowed in the capital, their use near the border was prohibited. Radio sets were pre-tuned to government programmes and it was forbidden to view videos from other countries or to own computers without permission. There were special squads which raided homes to search for illegal materials from other countries, and neighbours/communities were encouraged to inform on each other.[90] UNCT indicated that access to sources of information other than the State was extremely restricted. It added that in general and official terms, foreigners were still kept at a controlled distance from the local population.[91]

42. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged the Government to initiate the introduction of a freedom of information law, in accordance with international standards.[92]

43. The Secretary-General was concerned about the restrictions placed on public meetings and demonstrations.[93] UNCT noted that those few demonstrations that occasionally took place were government organized, typically against outside "aggressors".[94]

44. The Secretary-General stated that the fact that no regulations or legislation existed to govern the creation and registration of political parties was contrary to article 25 of ICCPR and adversely affected the rights of citizens to participate in the conduct of public affairs through freely chosen representatives.[95]

G. Right to work and to just and favourable conditions of work

45. UNCT indicated that in the Democratic People's Republic of Korea, people were believed to have an obligation to work. Forced voluntarism was widely used, and people were used for all sorts of community work. The Constitution stated that the rights and duties of citizens were based on the collectivist principle: "One for all and all for one". The minimum working age in the country was 16 years, and while no small children had been observed to take part in collective community work, adolescents did take part.[96]

46. The Special Rapporteur observed that children at school, particularly middle school, were also forced to work on State projects, such as collective farms, and parents were punished if the children did not contribute.[97]

H. Right to social security and to an adequate standard of living

47. UNCT indicated that the cereal deficit had been more than halved over the past two years, from 1,086,000 metric tons to 507,000 metric tons. In spite of the generally positive trend in cereal production since 2000, the current output level remained well below the plateau of 6 million tonnes achieved in the late 1980s.[98]

48. In a number of reports, the Secretary-General[99] and the Special Rapporteur[100] highlighted concerns about the food situation in the country.

49. The Special Rapporteur indicated that in 2009, draconian measures had had a negative impact on the general population seeking to make ends meet. The authorities had started to prohibit small plot farming and closed markets where people had previously traded their wares. At the end of the year, the authorities had imposed a currency revaluation in a push to curb the market system.[101]

50. UNCT noted that the vulnerability of the farming sector was largely due to natural disasters such as droughts, floods and extremely cold winters. The agricultural sector was also struggling with the inadequacy of the farming infrastructure and shortages of essential agricultural inputs such as quality seeds, fertilizer and insecticides/pesticides.[102]

51. UNCT stated that the Government should give priority to a sound policy environment and functioning markets including global integration, as well as public investment, particularly in rural infrastructure.[103]

52. The Special Rapporteur noted that the allocation of limited national resources by the State prioritized militarization under the "military first" policy, which had significant consequences for food security.[104] He reiterated his call to the Government to address the critical food situation in the country and to rethink its approach to the "military first" policy

in order to reallocate enough resources to improve the living standard of the people in the country.[105]

53. The Special Rapporteur called on the authorities to address continued food scarcity by taking effective measures, such as revisiting the public distribution system or reallocating financial resources to sectors that benefited the standard of living of the people in general.[106]

54. The Special Rapporteur noted that water, sanitation, and hygiene quality and infrastructure and practices related thereto had been deteriorating continuously over many years.[107]

I. Right to health

55. UNCT indicated that there had been noticeable progress since the previous universal periodic review in 2009, noting, inter alia, the adoption of the Medium Term Strategic Plan for the Development of the Health Sector 2010-2015 and the commitment by the Government to increase domestic health financing.[108]

56. UNCT observed that the 2012 National Nutrition Survey found some modest improvements in the nutritional situation of children, with the prevalence of stunting having decreased from 32.3 per cent to 27.9 per cent since 2009.[109] The Secretary-General noted that the 2012 survey found that 1 in 4 children (27.9 per cent) were stunted, with disparities across provinces.[110] UNCT also observed that acute malnutrition (wasting) had decreased from 5.2 per cent to 4.0 per cent. Nevertheless, severe acute malnutrition was still almost at the same level, illustrating that underlying causes such as lack of access to essential medicines, to quality water and sanitation or food diversity, were still challenging the health and growth of children.[111]

57. UNCT indicated that despite a number of challenges, the country was on track to achieve Millennium Development Goal (MDG) 4 (reduced child mortality), with an infant mortality rate of 26 per 1,000 live births, an under-five mortality rate of 33 per 1,000 live births and neonatal mortality at 18 per 1,000 live births.[112] However UNCT also observed that with the current rate of maternal mortality – 81 per 100,000 births – the country would not be able to achieve its MDG target of 50 per 100,000 live births, despite the fact that almost all deliveries were reportedly attended by skilled personnel.[113] Lack of essential emergency obstetric and neonatal services coupled with the poor quality of reproductive and maternal health services remained a challenge. Moreover, 26 per cent of women of reproductive age were undernourished.[114]

58. The Secretary-General noted information that undernutrition remained among the major underlying causes of maternal and child mortality and constituted a serious public health problem.[115]

59. The Special Rapporteur noted that despite some improvements in recent years the current infant mortality and maternal mortality rate were still considerably higher than in the 1990s.[116] A factor that had contributed to the worsening health condition of the people was the dire state of the health-care system. The system had faced financial constraints over the past two decades, which had led to a general rundown of the infrastructure.[117]

60. UNCT noted that a huge gap in essential drugs and equipment persisted. Health care providers needed further training in life-saving interventions, ambulance care and basic laboratory practices; and the country needed to upgrade its own capacities in the local production of essential drugs and equipment in order to reduce chronic dependence on international support.[118]

J. Right to education

61. UNCT indicated that in 2012, the country had revised its free and compulsory education law by making education compulsory for 12 years rather than the existing 11. It observed that the quality of education did not yet conform to CRC and was overloaded with ideological teachings and indoctrination. School infrastructure was deteriorating, including lack of teaching and learning materials in most of the secondary schools. While there was gender parity in school education, participation of women in higher education was 17 per cent of the total enrolment in general and technical universities. It recommended that the Government provide: 12 years of free and compulsory education of uniform quality across the country; and equal opportunity for women to access higher education on par with men.[119] UNCT stated that the country needed to allocate far more resources to maintaining its school infrastructure.[120] UNESCO encouraged the Government to continue to allocate increased resources to achieving better quality education.[121]

62. UNCT indicated that the State needed to review its policy of institutionalized care for certain categories of children and bring it into line with international practices and norms of inclusive education.[122]

K. Cultural rights

63. UNCT observed that Juche philosophy was also reflected in cultural activities, such as shows presented at circuses, festivals and theatres. In the past two years, there had been a significant increase in the construction of new buildings and entertainment and sports facilities.[123]

L. Persons with disabilities

64. The Secretary-General noted that a law on the protection of persons with disabilities was adopted in 2003. He noted that the provisions under the Convention on the Rights of Persons with Disabilities (CRPD) were more far-reaching and hoped that they would be studied carefully and adopted by the authorities.[124] UNCT stated that the signing of CRPD in July 2013 was an improvement towards securing the rights of people with disabilities.[125] UNCT observed that children with sensory disabilities were educated in special schools which provided education for 9 years instead of 11. Their curriculum placed more emphasis on vocational skills, without any provision of career options.[126]

65. The General Assembly expressed serious concern at continuing reports of violations of the human rights and fundamental freedoms of persons with disabilities, especially the use of collective camps.[127]

M. Migrants, refugees and asylum seekers

66. The Special Rapporteur observed that numerous testimonies referred to deaths, disappearances and imprisonment of asylum seekers before they were able to reach a safe third country, as a result of capture and the high incidence of refoulement.[128] He noted that individuals who fled the country due to economic hardship might also be refugees *sur place*, persons who become refugees after leaving the country because of a valid fear of persecution upon their return.[129]

N. Right to development and environmental issues

67. UNCT indicated that in adopting its own goals and targets under the MDGs, the Government had distanced itself from any references to the words "poverty" or "hunger", which made it difficult for the United Nations to assess the scope and scale of poverty and hunger in the country. It was also not clear how far these targets had been enshrined in the country's national plans or guided overall national development strategy. The Government's engagement with the United Nations even under their MDG initiatives had been leaning more towards meeting the humanitarian needs of the country than focusing on development imperatives. A key challenge in assessing the country's progress with regard to the MDGs was lack of verifiable data.[130]

68. The Special Rapporteur highlighted that the resources of the country were misallocated and misused for the elite and the "military first" policy, to the detriment of the populace.[131]

69. The Special Rapporteur stated that the Government needed urgently to adopt a robust economic policy guided by human rights principles and aimed at reducing extreme poverty, malnourishment and mortality, and improving the day-to-day life of the people.[132]

70. The Secretary-General was pleased with the letter of understanding governing the operating conditions of the World Food Programme signed in 2012 and encouraged the Government to continue with similar forms of cooperation in providing access to all humanitarian entities in the country.[133]

71. UNCT observed that in general, the United Nations system operated under conditions that were constrained by a lack of transparency.[134] In addition, the non-existent independent contact with the local population remained a huge challenge for the United Nations agencies.[135] UNCT observed that, although the United Nations and unilateral sanctions imposed clearly excluded humanitarian assistance, they had had an unintended and indirect negative impact on the most vulnerable parts of the population especially in need of United Nations assistance.[136]

72. The Secretary-General was seriously concerned at the funding shortfalls facing the United Nations agencies in carrying out their programmes in the country and appealed to the international community to step up its provision of adequate and sustainable funding for humanitarian assistance efforts.[137]

Notes

[1] Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Democratic People's Republic of Korea from the previous cycle (A/HRC/WG.6/6/PRK/2).

[2] The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] On 27 August 1997, the Secretary-General received a notification of withdrawal from the Covenant. As the Covenant does not contain a withdrawal provision, the Secretariat of the United Nations forwarded on 23 September 1997 an aide-mémoire to the Government of the Democratic People's Republic of Korea explaining the legal position arising from the above notification. As elaborated in this aide-mémoire, the Secretary-General is of the opinion that a withdrawal from the Covenant would not appear possible unless all States Parties to the Covenant agree with such a withdrawal. The above notification of withdrawal and the aide-mémoire were duly circulated to all States Parties under cover of C.N.467.1997.TREATIES-10 of 12 November 1997 (http://treaties.un.org/).

[4] Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31; Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13; Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12; Urgent action: CPED, art. 30.

[5] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

[6] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[7] 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

[8] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

[9] International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182

concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

[10] International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No. 189 concerning Decent Work for Domestic Workers.

[11] A/67/362, para. 20; A/66/343, para. 21. See also A/HRC/13/47, para. 88 (a)(v).

[12] A/HRC/13/47, para. 9.

[13] A/66/343, para. 22.

[14] A/HRC/19/65, para. 34.

[15] A/67/362, para. 16.

[16] A/HRC/19/65, para. 35.

[17] Ibid., para. 36.

[18] A/66/322, para. 52.

[19] Ibid., para. 69.

[20] According to article 5 of the rules of procedure for the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the different classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).

[21] For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/23/28, annex.

[22] A/67/362, para. 61. Also General Assembly resolution 65/225, para. 1 (c).

[23] OHCHR press release, "Pillay urges more attention to human rights abuses in North Korea, calls for international inquiry", 14 January 2013, available from: www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12923&LangID=E.

[24] A/HRC/RES/22/13.

[25] A/68/319, para. 4.

[26] A/68/392, para. 18. See also A/65/391, para. 5; A/66/343, para. 31; A/67/362, para. 22.

[27] A/68/392, para. 65.

[28] GA/SHC/4080. See also oral update by Michael Kirby, Chair of the Commission of Inquiry on Human Rights at the sixty-eighth session of the General Assembly, 29 October 2013, available from: www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/CommissionInquiryonHRinDPRK.aspx.

[29] The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child
CMW	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Committee on the Rights of Persons with Disabilities
CED	Committee on Enforced Disappearances
SPT	Subcommittee on Prevention of Torture

[30] A/67/362, para. 61; A/66/343, para. 75; and A/65/391, para. 85.

[31] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.

[32] A/66/322, para. 72. See also A/67/370, para. 3.

[33] A/68/319, para. 35.

[34] A/67/362, para. 59.

[35] A/66/343, para. 77 and A/65/391, para. 87. See also A/68/392, para. 65.

[36] A/68/392, para. 67. See also A/67/362, para. 60; A/66/343, para. 76; A/65/391, para. 46.

[37] A/HRC/22/57, p. 1.

[38] Ibid., para. 6.

[39] Ibid., para. 6 (a).

[40] Ibid., para. 6 (b).
[41] Ibid., para. 6 (c).
[42] Ibid., para. 6 (d).
[43] Ibid., para. 6 (e).
[44] Ibid., para. 6 (f).
[45] Ibid., para. 6 (g).
[46] Ibid., para. 6 (h).
[47] Ibid., para. 6 (i).
[48] Ibid., para. 25.
[49] A/HRC/13/47, para. 47.
[50] A/67/370, para. 59.
[51] Ibid., para. 51.
[52] General Assembly resolutions 64/175, para. 1 (a)(vii); 65/225, para. 1 (a)(v).
[53] OHCHR press release, 14 January 2013, at: www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12923&LangID=E.
[54] OHCHR press release "'High-profile execution in North Korea is just one among many other cases,'" UN experts warn", 18 December 2013, available from: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14117&LangID=E.
[55] A/HRC/13/47, para. 88 (a)(ii).
[56] OHCHR press release, "14 January 2013, available from: www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12923&LangID=E.
[57] A/HRC/19/65, para. 41. See also A/HRC/16/58, para. 73.
[58] A/HRC/22/45, para. 112.
[59] Ibid., paras. 107-110.
[60] A/HRC/16/58, para. 52. See also A/HRC/13/47, para. 36.
[61] A/HRC/16/58, para. 53.
[62] Ibid., para. 54.
[63] A/HRC/22/67, p. 114. Also, A/HRC/22/45, para. 106.
[64] Oral update by the Chair of the Commission of Inquiry on Human Rights, sixty-eighth session of the General Assembly, 29 October 2013, available from: www.ohchr.org/EN/HRBodies/HRC/CoIDPRK/Pages/CommissionInquiryonHRinDPRK.aspx.
[65] OHCHR press release, 14 January 2013, available from: www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12923&LangID=E.
[66] A/68/319, para. 24.
[67] A/HRC/WGAD/2012/4, para. 8, and A/HRC/WGAD/2012/47, para. 7.
[68] A/HRC/WGAD/2012/4, paras. 15-16, and A/HRC/WGAD/2012/47, para. 10.
[69] A/HRC/WGAD/2012/4, para. 26; A/HRC/WGAD/2012/47, para. 19.
[70] A/65/322, para. 71. See also A/67/370, para. 69.
[71] OHCHR press release, "Concludes Washington visit; heads towards analysis of testimony and starts considering conclusions: UN Commission on Inquiry on Human Rights in the DPRK wraps up Global Tour of public hearings", 1 November 2013, available from: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13932&LangID=E.
[72] A/68/319, para. 32.
[73] A/66/322, para. 54.
[74] Ibid., para. 55.
[75] A/HRC/13/47, para. 33.
[76] A/66/343, para. 28.
[77] A/HRC/19/65, para. 32.
[78] A/HRC/13/47, para. 88 (b)(viii).
[79] OHCHR press release, 14 January 2013, available from: www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12923&LangID=E.
[80] A/HRC/19/65, para. 57.
[81] UNCT submission to the UPR on the Democratic People's Republic of Korea, 31 October 2013, p. 2.
[82] Ibid., p. 2.
[83] A/68/319, para. 15. See also A/67/370, para. 63.
[84] Ibid., para. 14.

[85] Ibid., para. 37.
[86] A/HRC/13/47, para. 37.
[87] UNCT submission, p. 3.
[88] A/67/370, para. 23.
[89] A/66/322, para. 49. See also UNESCO submission on the Democratic People's Republic of Korea to the 19th session of the UPR, para. 19.
[90] A/HRC/13/47, para. 35.
[91] UNCT submission, p. 3.
[92] UNESCO submission, para. 27.
[93] A/67/362, para. 15.
[94] UNCT submission, p. 3.
[95] A/67/362, para. 15.
[96] UNCT submission, p. 3.
[97] A/HRC/13/47, para. 53.
[98] UNCT submission, p. 4.
[99] A/65/391, paras. 10-12, 63-71 and 83; A/66/343, paras. 6-7 and 56-61; A/67/362, paras. 4, 10, 36-40, 47-51; A/68/392, paras. 49-56 and 71.
[100] A/HRC/13/47, paras. 14-23 and 88 (a)(i); A/HRC/16/58, paras. 9, 26-40 and 70; A/66/322, paras. 21-32 and 66; A/HRC/19/65, paras. 21-29 and 58; A/67/370, paras. 43-44 and 67; A/HRC/22/57, para. 6 (a); A/68/319, paras. 16-19 and 38.
[101] A/HRC/13/47, para. 21.
[102] UNCT submission, p. 4.
[103] Ibid., p. 5.
[104] A/68/319, para. 16.
[105] Ibid., para. 38.
[106] A/HRC/16/58, para. 70.
[107] A/66/322, para. 40.
[108] UNCT submission, p. 5.
[109] Ibid., p. 5.
[110] A/68/392, para. 45.
[111] UNCT submission, p. 5.
[112] Ibid., p. 6.
[113] Ibid., p. 6.
[114] Ibid., p. 7.
[115] A/65/391, para. 67.
[116] A/67/370, para. 46.
[117] Ibid., para. 47.
[118] UNCT submission, p. 7.
[119] Ibid., p. 8. See also A/65/391, para. 59.
[120] UNCT submission, p. 8.
[121] UNESCO submission, para. 26.
[122] UNCT submission, p. 8.
[123] Ibid., p. 9. See also UNESCO submission, paras. 15-18.
[124] A/66/343, para. 24.
[125] UNCT submission, p. 8.
[126] Ibid., p. 2.
[127] General Assembly resolution 67/181, para. 1 (a) (ix).
[128] A/67/370, para. 54.
[129] Ibid., para. 62.
[130] UNCT submission, p. 10.
[131] A/HRC/13/47, para. 28.
[132] A/67/370, para. 42.
[133] A/67/362, para. 62.
[134] UNCT submission, p. 10.
[135] Ibid., p. 11.
[136] Ibid.

[137] A/68/392, paras. 69-70.

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Democratic People's Republic of Korea*

The present report is a summary of 12 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

1. No Fence Association for the Abolition of Concentration Camps in North Korea (NoFence) noted the recent signature of the Convention on the Rights of Persons with Disabilities[2] and Joint Submission 1 (JS1) recommended its ratification.[3] Citizens' Alliance for North Korean Human Rights (NKHR) stated that the Government should sign and ratify the CPED and recognize the competence of the Committee on Enforced Disappearances.[4] JS1 recommended the signing and ratification of the Convention against Torture (CAT) to eliminate all forms of torture carried out by the security agency and prison personnel.[5]

2. Christian Solidarity Worldwide (CSW) recommended ratification of the Rome Statute of the International Criminal Court (ICC)[6] with Human Rights Watch (HRW) further recommending the alignment of national legislation to cooperate promptly and fully with the ICC.[7]

3. HRW recommended that the Democratic People's Republic of Korea (DPRK) join the International Labour Organization (ILO), accede to its core conventions, and engage ILO officials on protection and promotion of workers' rights, including ending forced labour in all forms.[8]

2. Constitutional and legislative framework

4. JS1 stated that steps had been taken to implement some human rights regulations, such as the Law on Labour Protection of 2010.[9] NKHR also pointed to the enactment of the Women's Rights Act in December 2010 along with the Children's Rights Act.[10]

5. According to Lawyers for Human Rights and Unification of Korea (LHUK), DPRK in its first national Universal Periodic Review (UPR) report declared that the death penalty could be imposed for only 5 extremely serious crimes provided in Criminal Code revised in 2004 and did not mention the 2007 and 2009 supplementary provisions extending capital offences.[11] International Federation for Human Rights (FIDH) stated that on 19 December 2007, an "addendum to the Criminal Code for ordinary crimes" was adopted, which expanded the "crimes" for which the death penalty was applied. It comprised a total of 23 articles, of which 16 stipulated the death penalty for a number of crimes, including smuggling and dealing in narcotics, seizing State property, currency counterfeiting and illicitly selling State resources. The addendum permitted the application of capital punishment as long as the authorities were able to establish that the crime in question was "extremely serious".[12] Amnesty International (AI) also reported that DPRK had expanded the number of crimes punishable by death including extending this punishment in amendments to the Criminal Code in April 2009 to the crime of treacherous (disloyal) destruction.[13]

6. FIDH noted that the scope of crimes punishable by the death penalty further increased following the announcement in 2012 of two public decrees called "circulation of forex punishable by execution" (by the Department of People's Security) and "execution by gun squad for divulging classified information via cell phone" (by the State Security Department).[14] As a result, the total number of crimes carrying the death penalty was 24. Of those, at least 9 had a mandatory death sentence requirement, including crimes like kidnapping, theft, damaging or destruction of state or military property, currency

counterfeiting, smuggling and introducing narcotics or jewels and coloured metals into the black market. Such legislation violated human rights standards.[15]

7. People for Successful COrean REunification (PSCORE) recommended DPRK's full compliance with obligations pertaining to ratified international human rights treaties, thus reassessing national statutes and laws concerning the interpretation of human rights.[16]

3. Institutional and human rights infrastructure and policy measures

8. AI reported that DPRK had no national human rights institution or other independent, effective complaints mechanisms with a human rights mandate.[17]

B. Cooperation with human rights mechanisms

9. With respect to the UPR, Life Funds for North Korean Refugees (LFNKR), while welcoming the participation of the government in the UPR process, urged it to take the review seriously and respond to all recommendations, either accepting them or giving reasons for rejecting them.[18]

10. HRW stated that the DPRK's record of cooperation with UN human rights mechanisms was arguably among the worst. The DPRK refused to recognize UN resolutions on the human rights situation in the DPRK adopted by the UN's Human Rights Council and General Assembly.[19] LFNKR strongly urged the Government to cooperate with and to seek to take its place as a fully productive member of the international community.[20]

11. AI further reported that the human rights situation in the DPRK continued to be shrouded in secrecy. The Government continued to deny access to independent human rights monitors.[21] PSCORE noted that as it was incredibly difficult for human rights defenders to gain access to the DPRK, the main source of information and evidence demonstrating human rights abuses came from defectors.[22]

12. AI pointed out that most recently the Government had refused to allow access to members of the UN Commission of Inquiry (COI) into human rights violations in the DPRK, including possible crimes against humanity, established by the UN Human Rights Council in March 2013.[23] HRW recommended that the DPRK recognize the mandate of the COI and issue an invitation for the commission to visit the country.[24]

1. Cooperation with treaty bodies

13. NoFence provided information that the DPRK's National UPR Report failed to indicate that it was a party to the ICCPR.[25] CSW recommended that the DPRK seek to implement all of the recommendations given to it by the various international human rights treaty bodies.[26]

2. Cooperation with special procedures

14. HRW stated that the DPRK rejected the appointment a UN special rapporteur on human rights in the DPRK. Since the establishment of the mandate, neither special rapporteur had been permitted to visit the country.[27] AI recommended the granting of immediate and unrestricted access to all UN Special Procedures who request a visit to DPRK.[28]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

15. CSW stated that a key aspect of control of society was the *songbun* system of social classification, which divided the population into 51 categories of political class, grouped into three broad castes: 'core', 'wavering' and 'hostile' classes. A person's class was determined by birth, taking into consideration the political record and background of the family, and affected every aspect of life, including access to education, health care, food rations and employment opportunities.[29]

16. In its analysis of the Women's Rights Act, NKHR stated that the Act was so vague as to make implementation unlikely. Articles were expressed as general principles. Where plans were mandated, there was no guidance as to what they should contain. There were no timelines for implementation. There was little if any discussion of possible sanctions or other consequences for non-compliance. Secondly, there were a number of quite significant omissions from the Act. The most significant were the lack of attention to gender stereotyping in society or sexual harassment, and the lack of a definitions section. Thirdly, the Act in most respects focused on providing formal rather than substantive equality. Fourth, the monitoring and implementation apparatus was weak.[30]

17. NKHR further reported that many of the policies of the State ran contrary to the idea of rights and freedoms expressed in the Act itself. For example, women reported that the State (through the Women's League) was re-enforcing the ideological education of the traditional role of women in a patriarchal society and educated them on bearing more children, though the State did not provide services for the well-being, education or health of children and the free services system had collapsed long ago.[31]

18. According to NKHR, the fact that the Act provided for equality of women with men in access to labour, wages, social safety, medical care or education was meaningless in practice. More than half of the women had to quit their official jobs to provide for their family. As unemployed officially, they were restricted from using childcare services attached to workplaces or farms. Similarly, education or health services were available only to people who could pay the required fees.[32]

19. HRW[33] and Jubilee Campaign (JC)[34] stated that children faced discrimination and even punishment on the basis of the status, activities, expressed opinions, or beliefs of their parents or other family members. LFNKR called on the government to immediately abolish the class system and the system of "guilt-by-association".[35]

2. Right to life, liberty and security of the person

20. CSW expressed its belief that there was a *prima facie* case of crimes against humanity committed by the DPRK. The strict hierarchical nature of the regime in the DPRK, and information available about decision-making in the government, suggested that the senior political leadership, had responsibility for perpetrating such crimes.[36] Related concerns were raised by JS1.[37]

21. FIDH[38] reported that since DPRK's first UPR, dozens of people had been executed. The judiciary was regularly bypassed and executions frequently occurred in an arbitrary manner, including inside the DPRK's vast prison camp system.[39] Public[40] and secret[41] executions were carried out and the death penalty was applied to non-serious crimes and against vulnerable groups. LHUK also drew attention to the DPRK's comments that it carried out public executions, where a criminal committed brutal crimes and the victim or

his/her family requested to confirm the execution.[42] AI referred to the apparent increased numbers of extra-judicial executions by border guards to prevent people leaving DPRK.[43]

22. FIDH concluded that the DPRK should: immediately put an end to all executions, both inside and outside the prison camp system, and including public and secret executions; establish an immediate moratorium on the death penalty as a first step towards abolition, and take steps to reduce the scope of this penalty to the most serious crimes only, as defined under international human rights law; suppress its mandatory character; publish detailed statistics on death sentences and executions, by gender and by crime; and revise the law so as to erase criminal offenses that are essentially political or too broadly defined as per international human rights standards.[44]

23. CSW stated that the most egregious violations of human rights were perpetrated in the country's prison camps/(kwan-li-so), where torture was extreme, widespread and systematic.[45] AI highlighted that, although conditions varied from one facility to another, all detainees in *kwan-li-so* and other detention facilities were subjected to torture and other forms of ill-treatment.[46] PSCORE reported on starvation allegedly used as a means of torture against prisoners and of control.[47] CSW reported that torture was regularly used in interrogation facilities, sometimes to the point of disability, paralysis or death. Prisoners had also allegedly been used for medical, chemical and biological experiments.[48] LFNKR urged the Government to allow the ICRC to have immediate, full and genuine access to all detention facilities in the DPRK.[49] JS1 recommended compliance with the Standard Minimum Rules for Treatment of Prisoners.[50]

24. AI reported that it released satellite imagery showing four political prison camps *kwan-li-so* occupying huge areas of land and located in vast wilderness sites. Hundreds of thousands of people were estimated to be held in *kwan-li-so* and other detention facilities in DPRK.[51] CSW reported that prisoners in *kwan-li-so* were forced to complete work such as mining, logging and intensive factory labour on the barest of food rations, leaving them prone to fatigue and sickness, and in many cases, to eventual death.[52] JS1 alleged that among those prisoners were persons charged of guilt by association for collective punishment (Yeon-jaw-je) of up to three generations, including children, women, and elders.[53] JS1 recommended abolition of collective punishment, particularly for family members of defectors.[54]

25. NoFence provided details of the exact locations of up to six alleged political prison camps.[55] Alleged modifications of the political prison camps were reported by NoFence,[56] with JS1 stating that a few modifications of the political prison camps had taken place due to the international awareness of its usage by the North Korean regime. While Camp 25 had been dismantled, its 30,000 to 50,000 prisoners had been distributed to other facilities such as Camp 15, Camp 16, and Camp 14.[57] AI also reported that the activity observed in the satellite images pointed to a tightening in the control of movement of the local population adjacent to *kwan-li-so* 14, thus blurring the distinction between those detained in the camp and the valley's inhabitants.[58] JS1 stated that the Government continued to deny the existence of political prison camps,[59] and recommended giving access to international institutions, to guarantee their non-existence and/or closure.[60]

26. JS1 provided details of other different types of detention facilities, including where forced labour was in operation, such as in *Gyo-yang-so*/"labour reform centres", estimated to number more than 200, where everyone was forced to do hard labour such as farming and construction work and where some camps were allegedly operated independently by large-scale business operations, and "labour training centres" where forms of labour were most intensified.[61] HRW also reported on the network of *jip-kyul-so*/(collection center) and *ro-dong-dan-ryeon-dae*/(labour training centers) camps that required forced labour from people being held for a variety of so-called crimes, including absence from scheduled work or training, travel without permission, overstaying a travel permission and other crimes.[62]

HRW recommended their immediate closure.[63] JS1 recommended abolition of the re-education through labour system, application of minimum labour standards, national law and Labour Protection rule in detention facilities.[64]

27. PSCORE reported that sexual abuse against women was widespread and tolerated in detention facilities[65] with LFNKR also reporting that torture and rape were commonly used by the security forces.[66] CSW reported that pregnancies were generally disallowed within the prisons and recommended that DPRK must immediately desist from any policy that encourages forced abortions or the murder of newborn babies.[67] JS1 recommended that DPRK apply a standard of action in detention facilities that ensures the Laws that Protect Children and Women's Rights.[68]

28. According to LFNKR, resolution of the issue of forced abductions of foreign nationals had seen no progress since the last UPR.[69] NKHR referred to estimates that by 2011, about 517 abductees from Republic of Korea remained in DPRK and made recommendations.[70] LFNKR urged the DPRK, as a matter of priority, to identify and release all abductees of all nationalities who remain in DPRK.[71]

29. NKHR reported that men and women had confirmed that beatings of women were so inherent in the culture that it was considered normal. Women reported that there still was no place to seek help in case of physical abuse. The police would not intervene as it was seen as a domestic issue.[72] NKHR strongly recommended the drafting of a separate law regarding violence against women.[73]

30. Global Initiative to End All Corporal Punishment of Children (GIEACPC) reported that corporal punishment of children in all settings had still not been prohibited: it remained lawful in the home, alternative care settings and possibly in schools.[74] GIEACPC recommended that legislation be enacted to explicitly prohibit corporal punishment of children in all settings, including the home.[75]

31. According to HRW, the trafficking of North Korean women and girls persisted. Victims were persuaded to travel to the border either to escape DPRK or to seek economic opportunities and then were abducted or duped into marriage, forced labour or sexual exploitation.[76] JC recommended that all migrant and trafficked people who return to the DPRK, especially children, should be treated as victims and not as criminals.[77]

3. Administration of justice, including impunity and the rule of law

32. JS1 reported that there was a lack of rule of law and judiciary system that would ensure suspects received a fair trial.[78] FIDH reported that, in addition to the opaque nature of the ordinary courts, there was a parallel quasi-penal regime which did not comply with rule of law. The "Ten Principles" guiding the Korean Workers' Party (KWP) were often above the judicial system. The KWP was reportedly informed in advance of trials, and might pronounce sentence alternatives before an actual trial took place. The party not only determined whether or not to detain a suspect, but also systematically influenced the trial process.[79]

33. FIDH reported that investigation and preliminary examinations for ordinary crimes fell under the jurisdiction of the Ministry of People's Security. However, treason, any anti-State crime and political prisoners fell under the jurisdiction of the State Security Department (SSD). Citizens forcibly repatriated from a neighbouring country were allegedly treated as political prisoners and underwent interrogation by the SSD for "treason against the fatherland". In such cases, there was allegedly no formal trial.[80]

34. LFNKR called on the Government to immediately reform its legal system to separate the legislative and executive branches.[81] FIDH recommended that DPRK guarantee the independence of the judiciary and the right to a fair trial as per international human

rights standards.[82] PSCORE recommended the enhancement of due process within the Criminal Procedure of the DPRK and discouragement of courts from accepting forced confessions, which are induced by torture and coercion, as evidence.[83]

35. While, JC noted that according to article 69 of the Constitution, "Citizens are entitled to submit complaints and petitions. The state shall fairly investigate and deal with complaints and petitions as fixed by law,"[84] LFNKR pointed out that criticism of the leadership, overt or not, was punished severely; relatives of those accused of criticising the government were also subjected to increased surveillance and harsh punishment.[85]

4. Right to privacy, marriage and family life

36. According to FIDH, while investigators and police remained the principal agents for the detection of violators of laws, there was also a substantial culture of citizen informants, meaning that every citizen had the duty to report to the political hierarchy, especially if having responsibilities in the *ban*. Any suspicion of wrong doing must be reported immediately, even by family members, who would otherwise suffer the same punishment.[86]

5. Freedom of movement

37. HRW reported that movement within the country without appropriate government-issued permits was a criminal offence. Permits were required to leave one's home area and move internally within DPRK or to leave the country.[87] LFNKR reported that permission to live in the comparatively well-off capital, Pyongyang, was restricted to certain members of the most favoured class.[88]

38. HRW reported on the reasons for persons fleeing the country, including escaping persecution, fearing surveillance and re-arrest after release from forced labour camps, avoiding economic deprivation and food shortages, or seeking to reunite with relatives who had already fled the country. Other North Koreans travelled back and forth between DPRK and a neighbouring country, conducting licit and illicit cross-border trade with the connivance of corrupt DPRK officials yet also fell afoul of the authorities.[89]

39. HRW recommended that all North Korean citizens be allowed to travel freely within the country and called for the release from detention of all persons who are being held for exercising their right to freedom of movement.[90] LFNKR called on the government to allow its citizens to move freely both within the country and beyond its borders, including by providing passports, and to immediately stop the use of torture and rape by its officials.[91]

40. AI stated that since coming to power at the end of 2011, Kim Jong-Un's administration had announced a crackdown on people caught trying to cross the border without permission.[92] JC, HRW and LHUK also reported that the DPRK border patrol had a "shoot-on-sight" order for refugees trying to cross the border illegally.[93] Additionally, AI reported that people returning to DPRK had appeared in propaganda messages, including in interviews broadcast by North Korean TV, to deter others from attempting to leave DPRK.[94] JS1 indicated that the number of defectors coming to the Republic of Korea had decreased by more than 50 percent, reflecting stricter security measures and violence used to deter North Koreans from leaving.[95]

41. AI recommended that DPRK ensure that no one is detained or prosecuted for leaving the country without permission or subjected to torture and other ill-treatment, forced labour, enforced disappearance or the death penalty on return to DPRK.[96]

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

42. CSW stated that there was no freedom of thought, conscience, religion or belief in the DPRK, and religious believers faced severe persecution. The veneration of the Kim dynasty and the religious nature of their personality cult had allegedly led to intolerance of religious belief. There were at least four state-sanctioned churches in Pyongyang, and a new Protestant seminary, but it was widely believed that they existed primarily for the benefit of foreigners and to present a false image of the situation.[97] JC stated that ownership of bibles or other religious materials was reportedly illegal and might be punished by imprisonment and execution.[98]

43. LFNKR reported that media and other potential sources of information coming into the country were severely restricted by the government.[99] PSCORE highlighted that owning foreign CDs or DVDs was a crime punishable by death.[100] JS1 stated that there were cases where overseas labour workers sent by the Government who had access to external media of the country they worked in were sent to political prison camps.[101] HRW reported that someone seen using a mobile phone could be enough to spark an investigation, arrest, and abuse in detention.[102]

44. LFNKR stated that the leadership was approved by a Parliament, the members of which were chosen by the Workers' Party. The lack of freedom to assemble in public and the existence of only Party-controlled media made it impossible for citizens to express dissenting opinions. As a result there was allegedly no meaningful "public life" or "political life". LFNKR called on the Government to grant its citizens freedoms of religion and assembly, to cease the practise of punishing citizens who criticize the government, and to protect freedom of expression, and to establish free and fair multi-party elections.[103]

7. Right to work and to just and favourable conditions of work

45. HRW reported that the government required forced, uncompensated labour from workers, including even schoolchildren and university students, as part of its economy. Defectors reported that they were required to work at an assigned workplace after completing school, and that many of these jobs were either unpaid or provided minimal substitute compensation in the form of food or other rations. Failure to report to an assigned job for those who tried to earn money in other ways could result in being sent to a forced labour camp for as long as two years.[104] Similar concerns were reported by LFNKR.[105] HRW recommended that workers be permitted to select where they wish to work and to change employment without penalty or punishment.[106]

46. HRW alleged that lack of pay for work meant economic survival for workers and their families often depended on their ability to do their own informal business. For this, bribes must be paid to local officials and to the enterprise manager to release a person from his or her daily work requirement for time to start their own business, such as home production, informal selling of goods at local markets, or itinerant trading between provinces or even across the border.[107]

8. Right to social security and to an adequate standard of living

47. CSW stated that severe poverty and food shortages provided the context for much of the suffering of the people and many abuses perpetrated against them,[108] with LFNKR reporting that North Koreans lacked freedom of movement which left them vulnerable to punishment for travelling without authorization in search of food.[109]

48. HRW reported that the 2004 criminal code contained a chapter on "Offenses against the Management of the Economy" that criminalized a swathe of economic activities, including "illegally giving money or goods in exchange for labour" (article 119). Those

restrictions, when combined with other parts of the law that criminalized violations of trade and imposed foreign exchange controls, allowed the Government to prosecute people for conducting almost any private economic activity.[110]

49. HRW stated that while private economic activities were carried out openly in many parts of the country, farmers and traders risked arbitrary arrests and crackdowns, opening them to abuse, extortion, and imprisonment.[111] HRW recommended that DPRK revoke legislation criminalizing commercial exchanges, trading and market activities, and release all those held in detention for those crimes.[112] LFNKR urged the Government to encourage the development of private enterprise.[113]

50. AI reported that DPRK's grain output had increased and the cereal deficit for 2012/13 was estimated at 507,000 metric tons, the narrowest gap in many years. However, approximately 16 million North Koreans (66 percent of the population) depended on the inadequately resourced Public Distribution System (PDS) and remained chronically food insecure and highly vulnerable to production gaps. Around 2.4 million needed regular food assistance and these included vulnerable groups such as children, pregnant women and the elderly in the most food insecure provinces. The persistent food shortages had worsened the inequality of access to food among North Koreans. The grain distribution by the PDS reportedly favoured specific groups, such as officials of the Workers' Party, State Security Agency, military and military industry, and miners.[114]

51. AI stated that food shortages persisted in part due to failed governmental policies. AI referred to reports that there were starvation deaths in DPRK after the 2009 currency reform and more recently, deaths due to starvation were reported in Hwanghae province.[115] JC made recommendations, including that the DPRK assist the most vulnerable giving them priority food aid.[116]

52. Regarding international food aid distribution, AI reported that access to DPRK had improved, after the April 2011 Letter of Understanding between the Government and the UN World Food Programme, although UN agencies received funding for only a third of their estimates by August 2013.[117] LFNKR urged the Government to commit to working with the international community, seeking any necessary outside expertise, to rebuild its agricultural and food-distribution systems.[118]

9. Right to health

53. According to AI, the Government's delayed and inadequate response to years of chronic food shortages, including reluctance to seek international cooperation and assistance, had led to widespread and chronic malnutrition which in turn had suppressed the immune system of many. Compounded by failed and counter-productive government policies, including the systematic failure to provide resources for basic health care, this had triggered epidemics and mass outbreaks of illnesses related to poor diet.[119]

54. AI stated that although DPRK professed to have universal and free health care, in reality, healthcare facilities were rundown and operated with frequent power cuts and no heating. Medical personnel often did not receive salaries, and many hospitals functioned without medicines and other essentials. Doctors had begun charging for their services, although this was illegal, and the poor increasingly could not access full medical care, especially medicines and surgery. Due to a lack of resources, medical staff had little exposure or access to training on new developments or international best practice.[120] NKHR alleged that a patient needed to secure his own food and food for the doctors in charge when staying in the hospital or rely on provisions from family members.[121] AI and LFNKR made recommendations.[122]

55. According to NKHR, abortion in DPRK was said to be illegal. Pregnancies were aborted at homes, without anaesthesia and proper sanitary conditions. Women also reported lack of education on sexually transmitted diseases, including HIV/AIDS.[123]

56. Another problem, reported by NKHR, was the increasingly widespread use of narcotics, especially with the lack of access to medical services. Opium was still commonly available, and people tended to grow it near homes, because it was considered a herbal medicine. Use of methamphetamine was allegedly growing rapidly.[124]

10. Right to education

57. LFNKR reported that in practice children were frequently unable to attend school because of the desperate shortage of food, in addition to a lack of adequate clothing and supplies for school.[125] LFNKR urged the Government to commit to working with the international community to rebuild its educational system and ensure that all children receive, at minimum, appropriate free and compulsory primary education that is comparable to those of other countries.[126]

58. JC stated that school children were required to do several hours of military training and political indoctrination and recommended that DPRK stop the process of early militarization of children in the school system.[127]

59. HRW alleged that teachers and school administrators forced students to work, including gathering foodstuffs for re-sale from mountainous areas, cutting down trees for use by the schools, collecting valuable raw materials according to a quota and submitting them for recycling as an alleged part of a government campaign, and working in agriculture on state-run farms. Starting during middle-school years, when they were approximately 11 years old, children studied in the morning but were sent for unpaid school-organized work details in the afternoon. In poorer provinces in the north, students were sometimes expected to be working as early as age 8 or 9. HRW recommended that DPRK immediately cease all use of students of any age for forced, unsafe, or vocationally unjustifiable labour activities.[128]

11. Persons with disabilities

60. NKHR reported that there were traditional social norms that allowed for the discrimination against the disabled. Also, a former official of the Ministry of Public Safety (police) alleged that there was an island with "Hospital 83" to which disabled persons were being sent for medical tests, as well as tests of biological and chemical weapons. The interviewee reported of a long-term labour re-education camp, *Kyo-hwa-so* No. 1 in Kaechon where disabled were often sent to.[129] NKHR recommended that authorities address the reports on the treatment of persons with disabilities and the negative cultural discrimination towards persons with disabilities through education programmes.[130]

12. Minorities

61. LFNKR stated that North Korean society was largely homogeneous. However, women who crossed the border and were found to be pregnant upon their return were commonly forced to undergo abortions in order to prevent the births of half-Chinese children.[131] Related concerns were raised by PSCORE[132] and JS1.[133]

13. Migrants, refugees and asylum seekers

62. HRW stated that leaving the country without state permission was considered an act of treason, punishable by lengthy prison terms. Those captured crossing the border or forcibly returned to DPRK faced interrogation under torture and imprisonment in forced labour camps. Any indication that a North Korean citizen had contact with South Korean

citizens or organizations could result in severe punishments, including imprisonment in *kwan-li-so* and *kyo-hwa-so* camps, or even the death penalty. Even some children who had crossed the border without permission had been subjected to detention and severe ill-treatment upon return. The resulting well-founded fear of persecution upon return turned many North Koreans in a neighbouring country and elsewhere into refugees *sur place*.[134]

14. Right to development

63. LFNKR questioned the apparent prioritising of DPRK's costly nuclear ambitions at the expense of the basics needed for the survival of its people.[135] LFNKR urged the Government to commit to taking a cooperative and productive place in international society that will make unnecessary the diversion of precious resources to excessive military development.[136]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.
Civil society
Individual submissions:

AI	Amnesty International, London, United Kingdom of Great Britain and Northern Ireland (UK);
CSW	Christian Solidarity Worldwide, New Malden, UK;
FIDH	International Federation for Human Rights, Paris, France;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, UK;
HRW	Human Rights Watch, Geneva Switzerland;
JC	Jubilee Campaign, Fairfax, VA, United States of America;
LFNKR	Life Funds for North Korean Refugees, Tokyo, Japan;
LHUK	Lawyers for Human Rights and Unification of Korea, Seoul, Republic of Korea;
NKHR	Citizens' Alliance for North Korean Human Rights, Seoul, Republic of Korea;
NoFence	No Fence in North Korea, Association for the Abolition of Concentration Camps in North Korea, Tokyo, Japan;
PSCORE	People for Successful COrean REunification, Seoul, Republic of Korea.

Joint submissions:

JS1	Joint Submission 1: Coalition for Human Rights in North Korean Detention Facilities submitted by: Free the North Korean Gulag (FNKG) and, North Korea Strategy Center (NKSC), Seoul, Republic of Korea.

[2] NoFence, para.4.
[3] JS1, para 24 recommendation, b.
[4] NKHR, p.6. See also, HRW, p.5.
[5] JS1, para. 43 a. See also, PSCORE, recommendations, p.5.
[6] CSW, para. 8.
[7] HRW, p. 5, recommendations.
[8] HRW, p.6, recommendations.
[9] JS1, para. 5.
[10] NKHR, p.1.
[11] LHUK, para. 2, part D.
[12] FIDH, para. 10.
[13] AI, p.2.
[14] FIDH, para. 11.
[15] FIDH, para. 12.
[16] PSCORE, recommendation , p.5.
[17] AI, p.1.
[18] LFNKR, p.6.
[19] HRW, p.1, summary.
[20] LFNKR, p. 7, introductory paragraph.
[21] AI, p.1.
[22] PSCORE, executive summary.
[23] AI, p.1.
[24] HRW, p.5. See also, CSW, recommendations, paras. 12 and 13.
[25] NoFence, para. 8.
[26] CSW, recommendation, para. 7.
[27] HRW, p.1, summary.
[28] AI, recommendation, p.5. See also, CSW, recommendations, paras. 11, 12 and 13 and HRW, p.5.
[29] CSW, para. 15. See also, CSW, para.23.
[30] NKHR, part A.
[31] NKHR, part A.
[32] NKHR, part A.

[33] HRW, p.5.
[34] JC, para. 21.
[35] LFNKR, p. 2.
[36] CSW, para. 5.
[37] JS1, para. 17.
[38] FIDH, Summary.
[39] See also, PSCORE, para. 6.
[40] See also AI, p 2, JS1, paras.36-37, PSCORE, para. 3 and LHUK, para. 3, part C, p.5.
[41] See also, FIDH, para. 14.
[42] LHUK, point 3, part C, p.5.
[43] AI, p.2.
[44] FIDH, recommendations, p. 7.
[45] CSW, para. 16. See also, PSCORE, paras. 5 and 6
[46] AI, p.2. See also PSCORE, para.10.
[47] PSCORE, para. 5. See also, JS1, para. 32.
[48] CSW, para. 32.
[49] LFNKR, p.7.
[50] JS1, para. 35.
[51] AI, p.1.
[52] CSW, para. 25. See also, CSW, para 17 and JS1, paras. 30-34.
[53] JS1, paras. 13-14. See also, AI, p.2.
[54] JS1, para. 18 a.
[55] NoFence, para. 11.
[56] NoFence, paras. 11 and17.
[57] JS1, para. 16.
[58] AI, p.3.
[59] JS1, para. 46.
[60] JS1, para. 18 c. See also, NoFence, recommendations, p.5 and AI recommendations p.4.
[61] JS1, para. 7, parts b and d. See also, PSCORE, para. 9.
[62] HRW, p.4.
[63] HRW, p.6.
[64] JS1, para. 24.
[65] PSCORE, para. 11. See also, recommendation, p.5.
[66] LFNKR, point 3, p. 3.
[67] CSW, paras. 26 and 29.
[68] JS1, recommendation, para. 29 a. See also, JS1, paras. 25-27.
[69] LFNKR, p.3.
[70] NKHR, pp. 4-6.
[71] LFNKR, p.3.
[72] NKHR, p.3.
[73] NKHR, p. 5.
[74] GIEACPC, para. 1.2.
[75] GIEACPC, p.1 and para 1.3.
[76] HRW, p.2.
[77] JC, para. 27. See also, JC, paras. 25, 9, 13-14.
[78] JS1, para. 8.
[79] FIDH, para. 18.
[80] FIDH, para. 20.
[81] LFNKR, p.3.
[82] FIDH, part III, p.7
[83] PSCORE, p.5. See also, JS1, para. 12, and AI, p.4.
[84] JC, para. 2.
[85] LFNKR, pp.3-4.
[86] FIDH, para. 21.
[87] HRW, p.3.
[88] LFNKR, point 1, p. 2. See also, LFNKR, point 2, p.3.

[89] HRW, p.2.
[90] HRW, p.5.
[91] LFNKR, p.5.
[92] AI, p.2.
[93] JC, para. 8, HRW, p. 2 and LHUK, para. 3, part E, p.7.
[94] AI, p. 3.
[95] JS1, para. 7.
[96] AI, p. 4.
[97] CSW, para. 34.
[98] JC, para. 16. See also JC, paras. 15, 18 and 19.
[99] LFNKR, p.2. See also, LFNKR, recommendations, p.7 and HRW, p.3.
[100] PSCORE, para. 2. See also, HRW, pp.3-4.
[101] JS1, para. 11.
[102] HRW, p.4. See also, HRW, recommendations, p.5.
[103] LFNKR, p.4.
[104] HRW, p.4.
[105] LFNKR, point 5, p.4.
[106] HRW, p.6.
[107] HRW, p.4.
[108] CSW, para. 37.
[109] LFNKR, point 6, p.4.
[110] HRW, p.3. See also, LFNKR, p.4.
[111] HRW, p.3.
[112] HRW, p.5.
[113] LFNKR, p.7.
[114] AI, p.2.
[115] AI, pp.2-3.
[116] JC, para. 24 and see also recommendation, para 23.
[117] AI, p.3.
[118] LFNKR, p.7.
[119] AI, p.3.
[120] AI, pp.3-4
[121] NKHR, part B, p.3.
[122] LFNKR, p.7 and AI, p.4.
[123] NKHR, part B, p.3.
[124] NKHR, p.3.
[125] LFNKR, point 7, p.4.
[126] LFNKR, p.7.
[127] JC, paras 20 and 29.
[128] HRW, pp. 4-5 and recommendations, p.7.
[129] NKHR, part B, p.4.
[130] NKHR, p.5.
[131] LFNKR, point 9, p.5. See also LFNKR, p.2.
[132] PSCORE, para. 12.
[133] JS1, para. 26.
[134] HRW, p.2. See also, JC, paras. 9-12.
[135] LFNKR, p.6. See also, executive summary.
[136] LFNKR, p.7.